

OFFICIAL STATEMENT DATED OCTOBER 17, 2024

IN THE OPINION OF BOND COUNSEL, INTEREST ON THE BONDS IS EXCLUDABLE FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES UNDER EXISTING LAW, AND INTEREST ON BONDS IS NOT INCLUDABLE IN THE ALTERNATIVE MINIMUM TAXABLE INCOME ON INDIVIDUALS OR CORPORATIONS EXCEPT FOR CERTAIN ALTERNATIVE MINIMUM TAX CONSEQUENCES FOR CORPORATIONS. SEE "TAX MATTERS" HEREIN FOR A DISCUSSION OF THE OPINION OF BOND COUNSEL.

THE BONDS HAVE BEEN DESIGNATED AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" FOR FINANCIAL INSTITUTIONS. SEE "TAX MATTERS—QUALIFIED TAX-EXEMPT OBLIGATIONS FOR FINANCIAL INSTITUTIONS" HEREIN.

NEW ISSUE-Book-Entry Only

\$3,500,000
NEWPORT MUNICIPAL UTILITY DISTRICT
(A political subdivision of the State of Texas located within Harris County)
DEFINED AREA NO. 1 UNLIMITED TAX BONDS
SERIES 2024

Dated Date: November 1, 2024

Due: April 1, as shown below

Interest Accrual Date: Date of Delivery

The bonds described above (the "Bonds") will be issued in fully registered form only, in denominations of \$5,000 or any integral multiple of \$5,000 for any one maturity. Principal of the Bonds will be payable at stated maturity or redemption upon presentation of the Bonds at the principal payment office of the paying agent/registrar, initially, The Bank of New York Mellon Trust Company, N.A., Houston, Texas (the "Paying Agent/Registrar"). Interest on the Bonds will accrue from the initial date of delivery (expected to be on or about November 14, 2024) (the "Date of Delivery"), and will be payable on April 1 and October 1 of each year commencing April 1, 2025 until maturity or prior redemption, and will be calculated on the basis of a 360 day year consisting of twelve 30 day months. The Bonds mature and are subject to redemption prior to maturity as described below.

The Bonds will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Beneficial owners of the Bonds will not receive physical certificates representing the Bonds, but will receive a credit balance on the books of the nominees of such beneficial owners. So long as Cede & Co. is the registered owner of the Bonds, the principal of and interest on the Bonds will be paid by the Paying Agent/Registrar directly to DTC, which will, in turn, remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds as described herein. See "THE BONDS—Book-Entry-Only System."

MATURITY SCHEDULE

Table with 10 columns: Due (April 1), Principal Amount, Interest Rate, Reoffering Yield (a), CUSIP Number (b), Due (April 1), Principal Amount, Interest Rate, Reoffering Yield (a), CUSIP Number (b). Rows include maturities from 2026 to 2034.

\$1,075,000 Term Bonds due April 1, 2042 (c), 652139 KW5 (b), 4.25% Interest Rate, 4.25% Yield (a)

\$1,650,000 Term Bonds due April 1, 2050 (c), 652139 LE4 (b), 4.25% Interest Rate, 4.45% Yield (a)

- (a) Initial reoffering yield represents the initial offering yield to the public, which has been established by the Initial Purchaser for offers to the public and which may be subsequently changed by the Initial Purchaser and is the sole responsibility of the Initial Purchaser. The initial reoffering yields indicated above represent the lower of the yields resulting when priced to maturity or to the first call date.
(b) CUSIP Numbers will be assigned to the Bonds by CUSIP Global Services and will be included solely for the convenience of the purchasers of the Bonds. Neither the District nor the Initial Purchaser shall be responsible for the selection or correctness of the CUSIP Numbers.
(c) The Bonds maturing on and after April 1, 2032 are subject to redemption prior to maturity at the option of the District, in whole or, from time to time in part, on April 1, 2031, or on any date thereafter, at a price equal to the principal amount thereof plus accrued interest thereon to the date fixed for redemption. The Term Bonds (as defined herein) are also subject to mandatory sinking fund redemption as more fully described herein. See "THE BONDS—Redemption Provisions."

The Bonds, when issued, will constitute valid and legally binding special limited obligations of Newport Municipal Utility District (the "District") and will be payable from the proceeds of a continuing direct annual ad valorem tax, without legal limitation as to rate or amount, levied against all taxable property located within Defined Area No. 1 (as defined herein) within the District. The Bonds are not secured by taxes levied on any land located within the District outside of the boundaries of the Defined Area No. 1. Neither the faith and credit nor the taxing power of the State of Texas, Harris County the City of Houston, or the area within the District not included in the Defined Area No. 1, is pledged to the payment of the principal of or interest on the Bonds. The Bonds are not obligations of the State of Texas, Harris County, the City of Houston, or any entity other than the District, solely as it relates to Defined Area No. 1. The Bonds are secured solely by ad valorem taxes levied on all taxable property within Defined Area No. 1. The Bonds are subject to special investment considerations described herein. See "RISK FACTORS."

The Bonds are offered when, as and if issued by the District, solely as it relates to Defined Area No. 1, subject, among other things, to the approval of the Bonds by the Attorney General of Texas and the approval of certain legal matters by Smith, Murdaugh, Little & Bonham, L.L.P., Bond Counsel. Delivery of the Bonds through DTC is expected to be on or about November 14, 2024.

## TABLE OF CONTENTS

MATURITY SCHEDULE .....	1
OFFICIAL STATEMENT SUMMARY .....	3
SELECTED FINANCIAL INFORMATION .....	7
RISK FACTORS .....	8
THE BONDS .....	15
THE DISTRICT .....	22
STATUS OF DEVELOPMENT IN THE DISTRICT .....	23
STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1 .....	24
MANAGEMENT .....	24
THE DEVELOPER .....	25
THE SYSTEM .....	26
USE AND DISTRIBUTION OF BOND PROCEEDS .....	29
WATER AND SEWER OPERATIONS .....	30
DEFINED AREA NO. 1 DEBT SERVICE REQUIREMENTS .....	31
FINANCIAL STATEMENT .....	32
ESTIMATED OVERLAPPING DEBT AND TAX RATES STATEMENT .....	33
TAX DATA .....	34
TAX PROCEDURES .....	37
LEGAL MATTERS .....	42
TAX MATTERS .....	43
MUNICIPAL BOND RATING .....	45
SALE AND DISTRIBUTION OF THE BONDS .....	45
PREPARATION OF OFFICIAL STATEMENT .....	46
CONTINUING DISCLOSURE OF INFORMATION .....	47
MISCELLANEOUS .....	49
AERIAL PHOTOGRAPH .....	50
PHOTOGRAPHS OF THE DISTRICT .....	51
FINANCIAL STATEMENT OF THE DISTRICT FOR THE FISCAL YEAR ENDED DECEMBER 31, 2023 .....	APPENDIX A

### USE OF INFORMATION IN OFFICIAL STATEMENT

No dealer, broker, salesman or other person has been authorized to give any information or to make any representations other than those contained in this Official Statement, and, if given or made, such other information or representation must not be relied upon as having been authorized by the District.

This Official Statement is not to be used in an offer to sell or the solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

All of the summaries of the statutes, orders, resolutions, contracts, audited financial statements, engineering and other related reports set forth in this Official Statement are made subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents, copies of which are available from Smith, Murdaugh, Little & Bonham, L.L.P., 2727 Allen Parkway, Suite 1100, Houston, Texas 77019, upon payment of duplication costs.

References to web site addresses presented herein are for informational purposes only and may be in the form of a hyperlink solely for the reader's convenience. Unless specified otherwise, such web sites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement for purposes of, and as that term is defined in, SEC Rule 15c2-12, as amended.

This Official Statement contains, in part, estimates, assumptions and matters of opinion which are not intended as statements of fact, and no representation is made as to the correctness of such estimates, assumptions or matters of opinion, or as to the likelihood that they will be realized. Any information and expressions of opinion herein contained are subject to change without notice and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District or other matters described herein since the date hereof. However, the District has agreed to keep this Official Statement current by amendment or sticker to reflect material changes in the affairs of the District and, to the extent that information actually comes to its attention, the other matters described in this Official Statement until delivery of the Bonds to the Initial Purchaser and thereafter only as specified in "PREPARATION OF OFFICIAL STATEMENT—Updating the Official Statement."

## OFFICIAL STATEMENT SUMMARY

The following information is qualified in its entirety by the more detailed information and financial statements appearing elsewhere in this Official Statement.

### THE DISTRICT

*Description...*

Newport Municipal Utility District (the “District”), located in Harris County, Texas, is a political subdivision of the State of Texas. The area comprising the District was originally two municipal utility districts, which were consolidated on August 1, 1998 into one district. The original districts were Harris County Municipal Utility District No. 20, which was created by the Texas Water Rights Commission, predecessor to the Texas Commission on Environmental Quality (the “Commission”), by an order dated December 13, 1972 and Harris County Municipal Utility District No. 73, which was created by order effective September 23, 1977 of the Texas Water Rights Commission. The District operates pursuant to Chapters 49 and 54, Texas Water Code, as amended. The District currently contains approximately 2,412 acres. See “THE DISTRICT” and “AERIAL PHOTOGRAPH.”

*Location...*

The District is located in northeast Harris County, approximately 23 miles northeast of downtown Houston and two miles northwest of Crosby, Texas, near the southeastern shore of Lake Houston. Access to the District is provided by South Diamondhead Drive, North Diamondhead Drive and Newport Boulevard from FM 2100. The District is located entirely within the extraterritorial jurisdiction of the City of Houston.

*Defined Area No. 1...*

Pursuant to the provisions of Subchapter J of Chapter 54 of the Texas Water Code, as amended, the District is authorized to define areas or designate certain property of the District to pay for improvements, facilities, or services that primarily benefit that area. On May 11, 2017, the District approved the creation of a defined area encompassing approximately 188 acres within the District (the “Defined Area No. 1”).

At an election within Defined Area No. 1, held on May 6, 2017, the voters within Defined Area No. 1 authorized \$50,000,000 principal amount of unlimited tax bonds to finance water, sanitary sewer and drainage improvements solely within Defined Area No. 1, and for the further purpose of refunding those bonds, the levy of an unlimited tax in payment of such bonds within Defined Area No. 1 and the levy of an unlimited operation and maintenance tax for facilities authorized by Article XVI, Section 59 of the Texas Constitution within Defined Area No. 1. The Bonds represent the District’s first issuance of unlimited tax bonds that are secured by the proceeds of taxes levied upon taxable property located only within Defined Area No. 1. The District levied a debt service tax rate of \$0.7774 per \$100 of assessed valuation in Defined Area No. 1 for 2024. **The Bonds (as defined herein) are secured solely by ad valorem taxes levied on all taxable property in Defined Area No. 1.**

*Status of Development  
within Defined Area No. 1...*

Newport Pointe, Ltd. (“NP Ltd.”) has developed Newport Pointe, Section 1 (124 lots on approximately 35 acres), Newport Pointe, Section 2 (42 lots on approximately 10 acres), Newport Pointe, Section 3 (11 lots on approximately 4 acres) and Newport Pointe, Section 4 (59 lots on approximately 16 acres). As of August 9, 2024, there were 127 homes completed (127 occupied), 38 homes under construction and 71 vacant developed lots available for home construction. NP Ltd. is also developing Newport Pointe, Section 5 (84 lots on approximately 22 acres) with expected lot delivery in the fourth quarter of 2024.

In addition, there are approximately 77 acres of remaining developable land and 24 acres of undevelopable land in Defined Area No. 1. See “STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1.”

*Status of Development  
within The District...*

The District began as part of the approximately 5,914 acre Newport Project, development of which began during the 1970s. Approximately 1,801 acres of land within the District have been developed, or partially developed or are being developed into 4,950 lots. See “STATUS OF DEVELOPMENT IN THE DISTRICT.”

As of July 29, 2024, there were 4,245 completed and occupied homes, 51 completed and unoccupied homes, 53 homes listed in a builder's name or under construction, and 601 vacant lots. Some of the 601 vacant lots are owned by individuals and may have homes built on two lots or may be owned by the adjacent homeowner with no intention of building on the lot.

Approximately 21 acres of land have been developed into the Fairway Port Condominiums, consisting of 76 condominium units, the Newport Village Apartments, consisting of 80 units and the Spring Hill Village Apartments, consisting of 78 apartment units.

International Union of Operating Engineers ("IUOE") owns approximately 203 acres within the District on which it has constructed a dormitory and conference center which is exempt from ad valorem taxation.

In addition to residential development, a gas station/convenience store, a car wash, a kidney dialysis center, a daycare center, a retail store, a retail strip center and a bank are located in the District on approximately 22 acres of land. A Crosby Volunteer Fire Department fire station and the Harvest Time Church of God, which are exempt from ad valorem taxation, are also located on such 22 acres. A dental office, a gun range and an Emergency Medical Service facility are located in the District, but are not provided service by the District. The District provides water and sewer service to the Newport Elementary School, which is not located in the District. Approximately 76 acres have been developed into the Newport Golf and Conference Center (now known as Stonebridge at Newport), which includes an 18-hole golf course. There are approximately 255 developable acres in the District remaining to be developed and approximately 34 undevelopable acres which are used for plant sites, detention areas and open space. See "THE DISTRICT" and "STATUS OF DEVELOPMENT IN THE DISTRICT."

*The Developer...*

NP Ltd. originally owned approximately 188 acres of land in Defined Area No. 1. NP Ltd. has developed Newport Pointe, Section 1 (124 lots on approximately 35 acres), Newport Pointe, Section 2 (42 lots on approximately 10 acres), Newport Pointe, Section 3 (11 lots on approximately 4 acres) and Newport Pointe, Section 4 (59 lots on approximately 16 acres). In addition, NP Ltd. is developing Newport Pointe, Section 5 (84 lots on approximately 22 acres) with expected lot delivery in the fourth quarter of 2024. NP Ltd. continues to own approximately 77 developable acres within Defined Area No. 1. See "THE DISTRICT—Defined Area No. 1."

NP Ltd. is defined herein as the "Developer." See "THE DEVELOPER."

*Homebuilding...*

D.R. Horton, Texas Ltd. ("D.R. Horton") is currently the sole homebuilder within Defined Area No. 1. According to the Developer, average sales prices in Defined Area No. 1 range from approximately \$260,000 to \$350,000. See "STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1—Homebuilding Program."

## THE FINANCING

*The Issuer...*

The District is a political subdivision of the State of Texas, located in Harris County, Texas. See "THE DISTRICT."

*The Issue...*

\$3,500,000 Newport Municipal Utility District Defined Area No. 1 Unlimited Tax Bonds, Series 2024 (the "Bonds"), dated November 1, 2024. The Bonds mature serially on April 1 in each of the years 2026 through 2034, both inclusive, and as term bonds maturing on April 1 in each of the years 2042 and 2050 (the "Term Bonds") in the principal amounts set forth on the cover page of this Official Statement. Interest on the Bonds will accrue from the Date of Delivery, with interest payable April 1, 2025 and each October 1 and April 1 thereafter until maturity or earlier redemption and will be calculated on the basis of a 360-day year consisting of twelve 30-day months. The Bonds maturing on or after April 1, 2032 are subject to optional redemption, in whole or, from time to time in part, at the option of the District, prior to their maturity dates, on April 1, 2031, or on any date thereafter, at a price equal to the principal amount of the Bonds to be redeemed plus accrued interest thereon to the date fixed for redemption. The Term Bonds are also subject to mandatory sinking fund redemption as more fully described herein. See "THE BONDS—Redemption Provisions." The Bonds will be issued in fully registered form only, in denominations of \$5,000 or any integral multiple thereof. See "THE BONDS."

<i>Book-Entry-Only System...</i>	The definitive Bonds will be initially registered and delivered only to Cede & Co., the nominee of DTC, pursuant to the Book-Entry-Only System described herein. Beneficial ownership of the Bonds may be acquired in denominations of \$5,000 or integral multiples thereof. No physical delivery of the Bonds will be made to the beneficial owners thereof. Principal of and interest on the Bonds will be payable by the Paying Agent/Registrar to Cede & Co., which will make distribution of the amounts so paid to the participating members of DTC for subsequent payment to the beneficial owners of the Bonds. See “THE BONDS—Book-Entry-Only System.”
<i>Authority for Issuance...</i>	The Bonds are the first series of bonds issued out of \$50,000,000 principal amount of unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities within Defined Area No. 1 authorized by the voters at election held within Defined Area No. 1 on May 6, 2017. After issuance of the Bonds, \$46,500,000 principal amount of unlimited tax bonds will remain authorized but unissued for purposes of construction and acquisition of water, sanitary sewer and drainage facilities within Defined Area No. 1. The Bonds are being issued pursuant to Article XVI, Section 59 of the Constitution of Texas, Chapters 49 and 54 of the Texas Water Code, as amended, the general laws of the State of Texas, an order of the Texas Commission on Environmental Quality (the “TCEQ” or the “Commission”), and an order (the “Bond Order”) of the Board of Directors (the “Board”) of the District. See “RISK FACTORS—Future Debt,” “THE BONDS—Authority for Issuance” and “—Issuance of Additional Debt.”
<i>Source of Payment...</i>	The Bonds are payable from a continuing direct annual ad valorem tax, unlimited as to rate or amount, levied against all taxable property within Defined Area No. 1 within the District. The Bonds are special limited obligations of the District secured by the proceeds of an ad valorem tax levied upon taxable property located within Defined Area No. 1. <b>The Bonds are not secured by taxes levied on any land located within the District outside of the boundaries of the Defined Area No. 1.</b> Neither the faith and credit nor the taxing power of the State of Texas, Harris County the City of Houston, or the area within the District not included in the Defined Area No. 1, is pledged to the payment of the principal of or interest on the Bonds. The Bonds are not obligations of the State of Texas, Harris County, the City of Houston, or any entity other than the District, solely as it relates to Defined Area No. 1. See “THE BONDS—Source of Payment.”
<i>Use of Proceeds...</i>	Proceeds from sale of the Bonds will be used to reimburse the Developer for certain construction costs related to water, sewer and drainage facilities. In addition, Bond proceeds will be used to capitalize twelve (12) months of interest, to pay interest on funds advanced by the Developer on behalf of Defined Area No. 1 and to pay certain costs associated with the issuance of the Bonds. See “USE AND DISTRIBUTION OF BOND PROCEEDS.”
<i>Payment Record...</i>	The Bonds represent the District’s first issuance of unlimited tax bonds that are secured by the proceeds of taxes levied upon taxable property located only within Defined Area No. 1.  The District has previously issued one series of waterworks and sewer system combination unlimited tax and revenue bonds, seven series of unlimited tax bonds, two series of unlimited tax park bonds and five series of unlimited tax and revenue refunding bonds that are secured by the proceeds of taxes levied upon all taxable property within the entire District (including Defined Area No. 1). As of the date hereof, the District has an aggregate of \$55,990,000 principal amount outstanding (the “District’s Outstanding Bonds”). The District has never defaulted on the payment of principal of and interest on the on any bonds issued by the District.
<i>Qualified Tax-Exempt Obligations...</i>	The Bonds have been designated as “qualified tax-exempt obligations” within the meaning of Section 265(b) of the Internal Revenue Code of 1986. See “TAX MATTERS—Qualified Tax-Exempt Obligations for Financial Institutions.”
<i>Municipal Bond Rating...</i>	The District has not applied for an underlying investment grade rating for the Defined Area No. 1 Unlimited Tax Bonds nor is it expected that the District would have been successful if such application had been made.
<i>Bond Counsel...</i>	Smith, Murdaugh, Little & Bonham, L.L.P., Bond Counsel, Houston, Texas.
<i>Financial Advisor...</i>	Masterson Advisors LLC, Houston, Texas.

*Disclosure Counsel...*

McCall, Parkhurst & Horton, L.L.P., Disclosure Counsel, Houston, Texas.

*Risk Factors...*

The purchase and ownership of the Bonds are subject to special risk factors, and all prospective purchasers are urged to examine carefully the entire Official Statement for a discussion of investment risks, including particularly the section captioned "RISK FACTORS."

**SELECTED FINANCIAL INFORMATION**

2024 Taxable Assessed Valuation of Defined Area No. 1.....	\$36,305,917	(a)
Estimated Taxable Assessed Valuation as of July 1, 2024 of Defined Area No. 1.....	\$42,763,009	(b)
Gross Debt Outstanding of Defined Area No. 1 (after the issuance of the Bonds).....	\$3,500,000	
Estimated Overlapping Debt of Defined Area No. 1 .....	<u>515,054</u>	
Gross Debt and Estimated Overlapping Debt.....	\$4,015,054	
Ratios of Gross Debt of Defined Area No. 1 to:		
2024 Taxable Assessed Valuation.....	9.64%	
Estimated Taxable Assessed Valuation as of July 1, 2024 .....	8.18%	
Ratios of Gross Debt and Estimated Overlapping Debt of Defined Area No. 1 to:		
2024 Taxable Assessed Valuation.....	11.06%	
Estimated Taxable Assessed Valuation as of July 1, 2024 .....	9.39%	
District Debt Service Fund Balance as of September 19, 2024 .....	\$ 2,829,955	(c)
District Operating Fund Balance as of September 19, 2024 .....	\$22,040,829	(d)
District Construction Fund Balance as of September 19, 2024 .....	\$15,100,277	
Defined Area No. 1 Debt Service Fund Balance as of September 19, 2024.....	\$ 0	(e)
Defined Area No. 1 Operating Fund Balance as of September 19, 2024.....	\$ 98,894	
Defined Area No. 1 Construction Fund Balance as of September 19, 2024 .....	\$ 0	(f)
<u>2024 Defined Area No. 1 Tax Rate</u>		
2024 Debt Service Tax Rate .....	\$0.7774/\$100 A.V.	(g)
<u>2024 District Tax Rate</u>		
2024 Debt Service Tax Rate .....	\$0.3150	
2024 Maintenance and Operations Tax Rate .....	<u>0.3076</u>	
2024 Total Tax Rate .....	\$0.6226/\$100 A.V.	
2024 Combined District-Wide and Defined Area No. 1 Tax Rate .....	\$1.4000/\$100 A.V.	(h)
Average Annual Debt Service Requirements (2025-2050) of the		
Defined Area No. 1 Bonds (“Average Requirement”) .....	\$226,508	(i)
Maximum Annual Debt Service Requirement (2049) of the		
Defined Area No. 1 Bonds (“Maximum Requirement”) .....	\$250,406	(i)
Tax Rates Required to Pay Average Requirement (2025-2050) at a 90% Collection Rate		
Based upon 2024 Taxable Assessed Valuation .....	\$0.70/\$100 A.V.	(j)
Based upon Estimated Taxable Assessed Valuation as of July 1, 2024 .....	\$0.59/\$100 A.V.	(j)
Tax Rates Required to Pay Maximum Requirement (2049) at a 90% Collection Rate		
Based upon 2024 Taxable Assessed Valuation .....	\$0.77/\$100 A.V.	(j)
Based upon Estimated Taxable Assessed Valuation as of July 1, 2024 .....	\$0.66/\$100 A.V.	(j)
Water and Sewer Connections as of August 9, 2024 (k):		
Completed Homes (127 Occupied).....	127	
Homes Under Construction .....	38	
Vacant Developed Lots Available for Homebuilding .....	71	
Lots Under Construction for Homebuilding.....	<u>84</u>	
Total .....	320	

Estimated 2024 Population – 444 (l)

- (a) The Harris Central Appraisal District (the “Appraisal District”) has certified \$34,706,412 of taxable value within Defined Area No. 1 as of January 1, 2024. An additional \$1,599,505 of taxable value, which represents the owner’s opinion of the value of the uncertified value and is subject to review and adjustment prior to certification, remains uncertified. See “TAX PROCEDURES.”
- (b) Provided by the Appraisal District for informational purposes only. Such amounts reflect an estimate of the taxable assessed value within Defined Area No. 1 on July 1, 2024. Increases in value that occur between January 1, 2024 and July 1, 2024 will be assessed for purposes of taxation on January 1, 2025. See “TAX PROCEDURES.”
- (c) Reflects funds available for payment of debt service on District’s Outstanding Bonds (as defined herein) that are not Defined Area No. 1 Outstanding Bonds. Such funds may not be used for payment of debt service on Defined Area No. 1 bonds, including the Bonds.
- (d) Includes the \$4,500,000 payment in lieu of taxes paid by the IUOE (as defined herein). See “WATER AND SEWER OPERATIONS—Waterworks and Sewer System Operating Statement.”
- (e) To be created upon closing of the Bonds. Twelve (12) months of capitalized interest from the Bonds will be deposited into this account upon closing of the Bonds. See “USE AND DISTRIBUTION OF BOND PROCEEDS.” Neither the Bond Order nor Texas law requires that the District maintain any particular balance in the Debt Service Fund.
- (f) To be created upon closing of the Bonds.
- (g) Such tax is levied by the District upon all taxable property located within Defined Area No. 1 for payment of debt service on the Bonds and any additional bonds that the District may hereinafter issue to serve land within Defined Area No. 1. The proceeds from the tax may not be used for payment of debt service on the District’s Outstanding Bonds.
- (h) Approximately 188 acres within the District are assessed the Defined Area No. 1 tax rate. See “TAX DATA—Tax Rate Distribution.”
- (i) See “DEBT SERVICE REQUIREMENTS.”
- (j) See “TAX DATA—Tax Adequacy for Debt Service.”
- (k) See “STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1.”
- (l) Based upon 3.5 persons per occupied home.

## OFFICIAL STATEMENT

**\$3,500,000**

### NEWPORT MUNICIPAL UTILITY DISTRICT

*(A political subdivision of the State of Texas located within Harris County)*

### DEFINED AREA NO. 1 UNLIMITED TAX BONDS

#### SERIES 2024

This Official Statement provides certain information in connection with the issuance by Newport Municipal Utility District (the “District”) of its \$3,500,000 Defined Area No. 1 Unlimited Tax Bonds, Series 2024 (the “Bonds”).

The Bonds are issued pursuant to Article XVI, Section 59 of the Texas Constitution, Chapters 49 and 54 of the Texas Water Code, as amended, the general laws of the State of Texas relating to the issuance of bonds by political subdivisions of the State of Texas, an order authorizing the issuance of the Bonds (the “Bond Order”) adopted by the Board of Directors of the District (the “Board”), an order of the Texas Commission on Environmental Quality (the “TCEQ” or the “Commission”) and an election held within Defined Area No. 1.

The Bonds are special limited obligations of the District secured and payable from a continuing direct ad valorem tax levied without limitation as to the rate or amount on all taxable property in Defined Area No. 1. **The Bonds are not secured by the proceeds of ad valorem taxes levied by the District upon the taxable property within the District but not within Defined Area No. 1.**

This Official Statement includes descriptions, among others, of the Bonds and the Bond Order, and certain other information about the District, Defined Area No. 1, Newport Pointe, Ltd. (“NP Ltd.” or the “Developer”) and development activity within the District and Defined Area No. 1. All descriptions of documents contained herein are only summaries and are qualified in their entirety by reference to each document. Copies of such documents may be obtained from the District upon payment of the costs of duplication therefor from Smith, Murdaugh, Little & Bonham, L.L.P., Bond Counsel, 2727 Allen Parkway, Suite 1100, Houston, Texas 77019.

## RISK FACTORS

### General

The Bonds are not obligations of the State of Texas, Harris County, the City of Houston, or any entity other than the District, solely as it relates to Defined Area No. 1. Payment of the principal of and interest on the Bonds depends upon the ability of the District to collect taxes levied on taxable property within Defined Area No. 1 in an amount sufficient to service Defined Area No. 1’s bonded debt or in the event of foreclosure, on the value of the taxable property in Defined Area No. 1 and the taxes levied by the District and other taxing authorities upon the property within Defined Area No. 1. See “THE BONDS—Source of Payment.” The collection by the District of delinquent taxes owed to it and the enforcement by Registered Owners of the District’s obligation to collect sufficient taxes may be a costly and lengthy process. Furthermore, the District cannot and does not make any representations that continued development of taxable property within Defined Area No. 1 within the District will accumulate or maintain taxable values sufficient to justify continued payment of taxes by property owners or that there will be a market for the property or that owners of the property will have the ability to pay taxes. See “—Registered Owners’ Remedies and Bankruptcy Limitations” herein.

### Undeveloped Acreage and Vacant Lots

As of August 9, 2024, there are 71 vacant developed lots within Defined Area No. 1 available for homebuilding and approximately 77 developable acres within Defined Area No. 1 (excluding the 84 lots on approximately 22 acres under construction). Failure of the Developer to develop the developable land or of the builders to build taxable improvements on the developed lots could restrict the rate of growth of taxable values in within Defined Area No. 1. The District, including Defined Area No. 1, makes no representation as to when or if that the lot sales and building program will be successful. See “STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1.”



### **Landowners/Developers Obligation to the District**

There are no commitments from or obligations of the Developer or any other landowner to the District to proceed at any particular rate or according to any specified plan with the development of land or the construction of improvements within Defined Area No. 1, and there is no restriction on any landowner's right to sell its land. Failure to construct taxable improvements on developed lots or developed tracts of land could restrict the rate of growth of taxable values within Defined Area No. 1. The District cannot and does not make any representations that over the life of the Bonds continued development of taxable property within Defined Area No. 1 will increase or maintain its taxable value.

### **Economic Factors and Interest Rates**

A substantial percentage of the taxable value within Defined Area No. 1 results from the current market value of single-family residences and developed lots for the construction of residences. The market value of such development is related to general economic conditions in the Houston region and the national economy and those conditions affecting the demand for properties. The demand for lots and the construction of taxable improvements thereon can be significantly affected by factors such as interest rates, credit availability (see “—Credit Markets and Liquidity in the Financial Markets” below), construction costs, energy availability and the prosperity and demographic characteristics of the urban center toward which the marketing of lots is directed. Decreased levels of construction activity would tend to restrict the growth of property values in Defined Area No. 1 or could adversely impact such values. See “STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1.”

### **Credit Markets and Liquidity in the Financial Markets**

Interest rates and the availability of mortgage and development funding have a direct impact on the construction activity, particularly short-term interest rates at which developers are able to obtain financing for development costs. Interest rate levels may affect the ability of a landowner with undeveloped property to undertake and complete construction activities within Defined Area No. 1. Because of the numerous and changing factors affecting the availability of funds, particularly liquidity in the national credit markets, the District is unable to assess the future availability of such funds for continued construction within Defined Area No. 1. In addition, since the District is located approximately 23 miles from the central downtown business district of the City of Houston, the success of development within Defined Area No. 1 and growth of Defined Area No. 1 taxable property values are, to a great extent, a function of the Houston metropolitan and regional economies and national credit and financial markets. A decline in the nation's real estate and financial markets could adversely affect development and home-building plans in Defined Area No. 1 and restrain the growth or reduce the value of Defined Area No. 1's property tax base.

### **Competition**

The demand for and construction of single-family homes within Defined Area No. 1, which is approximately 23 miles from downtown Houston, could be affected by competition from other residential developments in the northern portion of the Houston area market. In addition to competition for new home sales from other developments, there are numerous previously owned homes in the area of Defined Area No. 1. Such homes could represent additional competition for new homes proposed to be sold within Defined Area No. 1.

The competitive position of builders in the sale of single-family residential houses within Defined Area No. 1 is affected by most of the factors discussed in this section. Such a competitive position directly affects the growth and maintenance of taxable values in Defined Area No. 1 and tax revenues to be received by the District. The District can give no assurance that building and marketing programs in Defined Area No. 1 by the Developer will be implemented or, if implemented, will be successful.

### **Impact on District Tax Rates**

Assuming no further development, the value of the land and improvements currently within Defined Area No. 1 will be the major determinant of the ability or willingness of property owners within Defined Area No. 1 to pay their taxes. The 2024 Taxable Assessed Valuation is \$36,305,917 (\$34,706,412 of certified value plus \$1,599,505 of uncertified value). After issuance of the Bonds, the maximum annual debt service requirement will be \$250,406 (2049) and the average annual debt service requirement will be \$226,508 (2025-2050, inclusive). Assuming no increase or decrease from the 2024 Taxable Assessed Valuation and no use of funds other than tax collections, a tax rate of \$0.77 per \$100 of taxable assessed valuation at a 90% collection rate would be necessary to pay the maximum annual debt service requirement of \$250,406 and a tax rate of \$0.70 per \$100 of taxable assessed valuation at a 90% collection rate would be necessary to pay the average annual debt service requirement of \$226,508 (see “DEFINED AREA NO. 1 DEBT SERVICE REQUIREMENTS”). The Estimated Taxable Assessed Valuation as of July 1, 2024 is \$42,763,009. Assuming no increase or decrease from the Estimated Taxable Assessed Valuation as of July 1, 2024, and a 90% collection rate, tax rates of \$0.66 and \$0.59 per \$100 of taxable assessed valuation would be necessary to pay the maximum annual requirement and average annual requirement, respectively. Although calculations have been made regarding average and maximum tax rates necessary to pay the debt service on the Bonds based upon the 2024 Taxable Assessed Valuation and the Estimated Taxable

Assessed Valuation as of July 1, 2024, the District can make no representations regarding the future level of assessed valuation within Defined Area No. 1. Increases in taxable values depend primarily on the continuing construction and sale of taxable improvements within Defined Area No. 1. See “TAX PROCEDURES” and “TAX DATA—Tax Adequacy for Debt Service.” No representations or suggestions are made that the uncertified portion of the 2024 Taxable Assessed Valuation or Estimated Taxable Assessed Valuation as of July 1, 2024 for Defined Area No. 1 will be certified as taxable value by the Appraisal District, and no person should rely upon such amounts or their inclusion herein as assurance of their attainment. See “TAX PROCEDURES.”

### **Potential Effects of Oil Price Fluctuations on the Houston Area**

The economy of the Houston area has, in the past, been particularly affected by adverse conditions in the oil and gas industry, and such conditions and their spillover effects into other industries could result in declines in the demand for residential and commercial property in the Houston area and could reduce or negatively affect property values, homebuilding or construction activity within Defined Area No. 1. The District cannot predict the impact that negative conditions in the oil and gas industry could have on property values in Defined Area No. 1.

### **Extreme Weather Events**

The greater Houston area, including the District, is subject to occasional severe weather events, including tropical storms, hurricanes and freezes. If the District were to sustain damage to its facilities requiring substantial repair or replacement, or if substantial damage were to occur to taxable property within the District as a result of such a weather event, the investment security of the Bonds could be adversely affected. The greater Houston area has experienced multiple storms exceeding a 0.2% probability (i.e. “500-year flood” events) since 2015, including Hurricane Harvey, which made landfall along the Texas Gulf Coast on August 26, 2017, and brought historic levels of rainfall during the successive four days and Tropical Storm Imelda, which occurred on September 19, 2019. Several of these weather events have impacted the District as described below.

According to Si Environmental, LLC (the “Operator”), there was no interruption of water and sewer service as a result of Hurricane Harvey, but the District did sustain damage to its wastewater treatment plant and control building, the wastewater treatment plant emergency generator, Water Plant No. 1 booster pump and other facilities. The District Operator, on behalf of the District, submitted claims to the District insurance carrier and the District has received \$585,443. Any and all damage claims not covered by the District insurance carrier were filed with the Federal Emergency Management Agency (FEMA). As of June 21, 2023, the District has received from FEMA funds in the amount of \$1,655,206 for a total reimbursement of \$2,240,649, which includes reimbursements for mitigation and administration costs associated with the FEMA claim. Additional damage claims are pending and being processed through FEMA. The total District expense for damages claimed due to Hurricane Harvey was over \$1,251,188. The District is currently enrolled in a Federal Mitigation program and is pursuing funds for mitigation planning and projects through FEMA. The District cannot guarantee or represent that it will receive any funds from FEMA, other than funds already received. To the knowledge of the District, approximately 25 homes within the District experienced structural flooding or other damage as a result of Hurricane Harvey. None of the homes that experienced structural flooding or other damage as a result of Hurricane Harvey are located within Defined Area No. 1.

According to the Operator, there was no interruption of water and sewer service as a result of Tropical Storm Imelda, but the District did sustain damage to a stormwater pump station and lift station and force main which required emergency repairs. To the knowledge of the District, approximately 75 homes within the District experienced structural flooding or other damage as a result of Tropical Storm Imelda. To date, the District has recovered \$188,192 in damages from insurance claims and the claim has been closed. None of the homes that experienced structural flooding or other damage as a result of Tropical Storm Imelda are located within Defined Area No. 1.

According to the Operator, the District suffered damages at multiple locations in the District from the extreme weather caused by Winter Storm Uri beginning on February 14 lasting until February 20, 2021. The District pursued insurance reimbursement as well as FEMA reimbursement for the emergency protective measures expense the District incurred. To date, the total cost of emergency protective measures and damages that have been submitted for reimbursement for Winter Storm Uri is \$117,348, of which \$61,242 has been reimbursed with insurance proceeds. The claim has been closed and additional reimbursement is not expected. None of the locations that suffered damages from Winter Storm Uri are located within Defined Area No. 1.

If a future weather event significantly damaged all or part of the improvements within the District, the assessed value of property within the District could be substantially reduced, which could result in a decrease in tax revenues and/or necessitate an increase in the District’s tax rate. Further, there can be no assurance that a casualty loss to taxable property within the District will be covered by insurance (or that property owners will even carry flood or other casualty insurance), that any insurance company will fulfill its obligation to provide insurance proceeds, or that insurance proceeds will be used to rebuild or repair any damaged improvements within the District. Even if insurance proceeds are available and improvements are rebuilt, there could be a lengthy period in which assessed values within the District could be adversely affected.

## **Specific Flood Type Risks**

*Ponding (or Pluvial) Flood:* Ponding, or pluvial, flooding occurs when heavy rainfall creates a flood event independent of an overflowing water body, typically in relatively flat areas. Intense rainfall can exceed the drainage capacity of a drainage system, which may result in water within the drainage system becoming trapped and diverted onto streets and nearby property until it is able to reach a natural outlet. Ponding can also occur in a flood pool upstream or behind a dam, levee or reservoir.

*Riverine (or Fluvial) Flood:* Riverine, or fluvial, flooding occurs when water levels rise over the top of river, bayou or channel banks due to excessive rain from tropical systems making landfall and/or persistent thunderstorms over the same area for extended periods of time. The damage from a riverine flood can be widespread. The overflow can affect smaller rivers and streams downstream, or may sheet-flow over land. Flash flooding is a type of riverine flood that is characterized by an intense, high velocity torrent of water that occurs in an existing river channel with little to no notice. Flash flooding can also occur even if no rain has fallen, for instance, after a levee, dam or reservoir has failed or experienced an uncontrolled release, or after a sudden release of water by a debris or ice jam. In addition, planned or unplanned controlled releases from a dam, levee or reservoir also may result in flooding in areas adjacent to rivers, bayous or man-made drainage systems (canals or channels) downstream.

## **Environmental Regulation and Air Quality**

Wastewater treatment, water supply, storm sewer facilities and construction activities within the District are subject to complex environmental laws and regulations at the federal, state and local levels that may require or prohibit certain activities that affect the environment, such as:

- Requiring permits for construction and operation of water wells, wastewater treatment and other facilities;
- Restricting the manner in which wastes are released into the air, water, or soils;
- Restricting or regulating the use of wetlands or other properties; or
- Requiring remedial action to prevent or mitigate pollution.

Sanctions against a municipal utility district or other type of special purpose district for failure to comply with environmental laws and regulations may include a variety of civil and criminal enforcement measures, including assessment of monetary penalties, imposition of remedial requirements and issuance of injunctions to ensure future compliance. Environmental laws and compliance with environmental laws and regulations can increase the cost of planning, designing, constructing and operating water production and wastewater treatment facilities. Environmental laws can also inhibit growth and development within the District. Further, changes in regulations occur frequently, and any changes that result in more stringent and costly requirements could materially impact the District.

*Air Quality Issues:* Air quality control measures required by the United States Environmental Protection Agency (the “EPA”) and the TCEQ may impact new industrial, commercial and residential development in the Houston area. Under the Clean Air Act (“CAA”) Amendments of 1990, the eight-county Houston-Galveston-Brazoria area (“HGB Area”)—Harris, Galveston, Brazoria, Chambers, Fort Bend, Waller, Montgomery and Liberty Counties—has been designated a nonattainment area under two separate federal ozone standards: the eight-hour ozone standard of 75 ppb promulgated by the EPA in 2008 (the “2008 Ozone Standard”), and the EPA’s most-recent promulgation of an even lower, 70 ppb eight-hour ozone standard in 2015 (the “2015 Ozone Standard”). While the State of Texas has been able to demonstrate steady progress and improvements in air quality in the HGB Area, the HGB Area remains subject to CAA nonattainment requirements.

The HGB Area is currently designated as a “severe” nonattainment area under the 2008 Ozone Standard, with an attainment deadline of July 20, 2027. If the EPA ultimately determines that the HGB Area has failed to meet the attainment deadline based on the relevant data, the area is subject to reclassification to a nonattainment classification that provides for more stringent controls on emissions from the industrial sector. In addition, the EPA may impose a moratorium on the awarding of federal highway construction grants and other federal grants for certain public works construction projects if it finds that an area fails to demonstrate progress in reducing ozone levels.

The HGB Area is currently designated as a “serious” nonattainment area under the 2015 Ozone Standard, with an attainment deadline of August 3, 2027. For purposes of the 2015 Ozone Standard, the HGB Area consists of only six counties: Brazoria, Chambers, Fort Bend, Galveston, Harris, and Montgomery Counties.

In order to demonstrate progress toward attainment of the EPA's ozone standards, the TCEQ has established a state implementation plan ("SIP") for the HGB Area setting emission control requirements, some of which regulate the inspection and use of automobiles. These types of measures could impact how people travel, what distances people are willing to travel, where people choose to live and work, and what jobs are available in the HGB Area. These SIP requirements can negatively impact business due to the additional permitting/regulatory constraints that accompany this designation and because of the community stigma associated with a nonattainment designation. It is possible that additional controls will be necessary to allow the HGB Area to reach attainment with the ozone standards by the EPA's attainment deadlines. These additional controls could have a negative impact on the HGB Area's economic growth and development.

Water Supply & Discharge Issues: Water supply and discharge regulations that municipal utility districts, including the District, may be required to comply with involve: (1) groundwater well permitting and surface water appropriation; (2) public water supply systems; (3) wastewater discharges from treatment facilities; (4) storm water discharges; and (5) wetlands dredge and fill activities. Each of these is addressed below:

Certain governmental entities regulate groundwater usage in the HGB Area. A municipal utility district or other type of special purpose district that (i) is located within the boundaries of such an entity that regulates groundwater usage, and (ii) relies on local groundwater as a source of water supply, may be subject to requirements and restrictions on the drilling of water wells and/or the production of groundwater that could affect both the engineering and economic feasibility of district water supply projects.

Pursuant to the federal Safe Drinking Water Act ("SDWA") and the EPA's National Primary Drinking Water Regulations ("NPDWRs"), which are implemented by the TCEQ's Water Supply Division, a municipal utility district's provision of water for human consumption is subject to extensive regulation as a public water system. Municipal utility districts must generally provide treated water that meets the primary and secondary drinking water quality standards adopted by the TCEQ, the applicable disinfectant residual and inactivation standards, and the other regulatory action levels established under the agency's rules. The EPA has established NPDWRs for more than ninety (90) contaminants and has identified and listed other contaminants which may require national drinking water regulation in the future. Further, the EPA has established a NPDWR for six (6) Per- and Polyfluoroalkyl Substances ("PFAS"), which requires public water systems to perform certain monitoring and remediation measures. Public water systems may be subject to additional PFAS regulation in the future, which could increase the cost of constructing, operating, and maintaining water production and distribution facilities.

Texas Pollutant Discharge Elimination System ("TPDES") permits set limits on the type and quantity of discharge, in accordance with state and federal laws and regulations. The TCEQ reissued the TPDES Construction General Permit (TXR150000), with an effective date of March 5, 2018, which is a general permit authorizing the discharge of stormwater runoff associated with small and large construction sites and certain non-stormwater discharges into surface water in the state. It has a 5-year permit term, and is then subject to renewal. Moreover, the Clean Water Act ("CWA") and Texas Water Code require municipal wastewater treatment plants to meet secondary treatment effluent limitations and more stringent water quality-based limitations and requirements to comply with the Texas water quality standards. Any water quality-based limitations and requirements with which a municipal utility district must comply may have an impact on the municipal utility district's ability to obtain and maintain compliance with TPDES permits.

The District's stormwater discharges currently maintain permit coverage through the Municipal Separate Storm System Permit (the "Current Permit") issued to the Storm Water Management Joint Task Force consisting of Harris County, Harris County Flood Control District, the City of Houston, and the Texas Department of Transportation. In the event that at any time in the future the District is not included in the Current Permit, it may be required to seek independent coverage under the TCEQ's General Permit for Phase II (Small) Municipal Separate Storm Sewer Systems (the "MS4 Permit"), which authorizes the discharge of stormwater to surface water in the state from small municipal separate storm sewer systems. If the District's inclusion in the MS4 Permit were required at a future date, the District could incur substantial costs to develop, implement, and maintain the necessary plans as well as to install or implement best management practices to minimize or eliminate unauthorized pollutants that may otherwise be found in stormwater runoff in order to comply with the MS4 Permit.

Operations of utility districts, including the District, are also potentially subject to requirements and restrictions under the CWA regarding the use and alteration of wetland areas that are within the "waters of the United States." The District must obtain a permit from the United States Army Corps of Engineers ("USACE") if operations of the District require that wetlands be filled, dredged, or otherwise altered.

In 2023, the Supreme Court of the United States issued its decision in *Sackett v. EPA*, which clarified the definition of "waters of the United States" and significantly restricted the reach of federal jurisdiction under the CWA. Under the *Sackett* decision, "waters of the United States" includes only geographical features that are described in ordinary parlance as "streams, oceans, rivers, and lakes" and to adjacent wetlands that are indistinguishable from such bodies of water due to a continuous surface connection.

Subsequently, the EPA and USACE issued a final rule amending the definition of “waters of the United States” under the CWA to conform with the Supreme Court’s decision.

While the *Sackett* decision removed a great deal of uncertainty regarding the ultimate scope of “waters of the United States” and the extent of EPA and USACE jurisdiction, operations of municipal utility districts, including the District, could potentially be subject to additional restrictions and requirements, including additional permitting requirements, in the future.

## **Future Debt**

### *Defined Area No. 1*

The District may issue additional bonds to serve the land within Defined Area No. 1, subject to the authorization of the Defined Area No. 1 voters and the approval of the TCEQ. Voters within Defined Area No. 1 have authorized the issuance of \$50,000,000 principal amount of unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities to serve Defined Area No. 1 and for the further purpose of refunding those bonds. After issuance of the Bonds, \$46,500,000 principal amount of unlimited tax bonds will remain authorized but unissued for purposes of construction and acquisition of water, sanitary sewer and drainage facilities within Defined Area No. 1. See “THE BONDS—Authority for Issuance” and “—Issuance of Additional Debt.”

Bonds issued for Defined Area No. 1 are payable solely from the proceeds of taxes levied and collected within the boundaries of Defined Area No. 1 and not on any other part of the District. Proceeds of taxes levied by the District for payment of the Bonds upon taxable property located only within Defined Area No. 1 may not be used for payment of debt service on the District’s Outstanding Bonds. See “THE DISTRICT—Defined Area No. 1.” The District levies an ad valorem tax on all property in the District, including property in Defined Area No. 1 for payment of the District’s Outstanding Bonds.

### *The District*

The District has reserved in the District’s Outstanding Bond orders the right to issue obligations including tax anticipation notes, bond anticipation notes, and to borrow for any valid corporate purpose. Voters within the District have authorized the issuance of \$82,960,000 principal amount of unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities, of which \$27,780,000 of unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities remain authorized but unissued. The Board has called an election for November 2024 of \$110,000,000 principal amount for additional bonding authorization for unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities. The District cannot make any representations that such election will be successful. The future issuance of additional obligations may adversely affect the security for the Bonds and the investment quality and value of the Bonds. The District does not employ any formula with respect to assessed valuation or tax collections and does not otherwise limit the amount of additional bonds or other obligations which may be issued. The issuance of additional unlimited tax bonds (other than refunding bonds), if any, however, is subject to approval by the Commission under guidelines of feasibility established by the Commission.

There are approximately 77 developable acres in Defined Area No. 1 remaining to be developed (excluding the 84 lots on approximately 22 acres under construction). Excluding interest, the Developer has expended approximately \$9,160,000 for facilities constructed on behalf of Defined Area No. 1 and \$2,250,000 for facilities constructed on behalf of the District. After reimbursement from Bond proceeds, the Developer will be owed approximately \$6,550,000 for facilities constructed on behalf of Defined Area No. 1. Defined Area No. 1 and the District may issue future bonds to repay the Developer in accordance with the various contracts between the Developer, Defined Area No. 1 and the District.

## **Tax Collections Limitations**

The District’s ability to make debt service payments may be adversely affected by its inability to collect ad valorem taxes. Under Texas law, the levy of ad valorem taxes by the District constitutes a lien in favor of the District on a parity with the liens of all other state and local taxing authorities on the property against which taxes are levied, and such lien may be enforced by foreclosure. The District’s ability to collect ad valorem taxes through such foreclosure may be impaired by market conditions limiting the proceeds from a foreclosure sale of taxable property and collection procedures. While the District has a lien on taxable property within the District for taxes levied against such property, such lien can be foreclosed only in a judicial proceeding. The costs of collecting any such taxpayer’s delinquencies could substantially reduce the net proceeds to the District from a tax foreclosure sale. Finally, a bankruptcy court with jurisdiction over bankruptcy proceedings initiated by or against a taxpayer within the District pursuant to the Federal Bankruptcy Code could stay any attempt by the District to collect delinquent ad valorem taxes against such taxpayer. In

addition to the automatic stay against collection of delinquent taxes afforded a taxpayer during the pendency of a bankruptcy, a bankruptcy could affect payment of taxes in two other ways: first, a debtor's confirmation plan may allow a debtor to make installment payments on delinquent taxes for up to six years; and, second, a debtor may challenge, and a bankruptcy court may reduce, the amount of any taxes assessed against the debtor, including taxes that have already been paid. See "TAX PROCEDURES—District's Rights in the Event of Tax Delinquencies."

### **Registered Owners' Remedies and Bankruptcy Limitations**

If the District defaults in the payment of principal, interest, or redemption price on the Bonds when due, or if it fails to make payments into any fund or funds created in the Bond Order, or defaults in the observation or performance of any other covenants, conditions, or obligations set forth in the Bond Order, the Registered Owners have the statutory right of a writ of mandamus issued by a court of competent jurisdiction requiring the District and its officials to observe and perform the covenants, obligations, or conditions prescribed in the Bond Order. Except for mandamus, the Bond Order does not specifically provide for remedies to protect and enforce the interests of the Registered Owners. There is no acceleration of maturity of the Bonds in the event of default and, consequently, the remedy of mandamus may have to be relied upon from year to year. Further, there is no trust indenture or trustee, and all legal actions to enforce such remedies would have to be undertaken at the initiative of, and be financed by, the Registered Owners. Statutory language authorizing local governments such as the District to sue and be sued does not waive the local government's sovereign immunity from suits for money damages, so that in the absence of other waivers of such immunity by the Texas Legislature, a default by the District in its covenants in the Bond Order may not be reduced to a judgment for money damages. If such a judgment against the District were obtained, it could not be enforced by direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforceability of the rights and remedies of the Registered Owners may further be limited by a State of Texas statute reasonably required to attain an important public purpose or by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions, such as the District.

Subject to the requirements of Texas law discussed below, a political subdivision such as the District may voluntarily file a petition for relief from creditors under Chapter 9 of the Federal Bankruptcy Code, 11 U.S.C. Sections 901-946. The filing of such petition would automatically stay the enforcement of Registered Owner's remedies, including mandamus. The automatic stay would remain in effect until the federal bankruptcy judge hearing the case dismisses the petition, enters an order granting relief from the stay or otherwise allows creditors to proceed against the petitioning political subdivision. A political subdivision such as the District may qualify as a debtor eligible to proceed in a Chapter 9 case only if it is (1) authorized to file for federal bankruptcy protection by applicable state law, (2) is insolvent or unable to meet its debts as they mature, (3) desires to effect a plan to adjust such debts, and (4) has either obtained the agreement of or negotiated in good faith with its creditors or is unable to negotiate with its creditors because negotiation is impracticable. Special districts such as the District must obtain the approval of the Commission as a condition to seeking relief under the Federal Bankruptcy Code. The Commission is required to investigate the financial condition of a financially troubled district and authorize such district to proceed under federal bankruptcy law only if such district has fully exercised its rights and powers under Texas law and remains unable to meet its debts and other obligations as they mature.

Notwithstanding noncompliance by a district with Texas law requirements, the District could file a voluntary bankruptcy petition under Chapter 9, thereby invoking the protection of the automatic stay until the bankruptcy court, after a hearing, dismisses the petition. A federal bankruptcy court is a court of equity and federal bankruptcy judges have considerable discretion in the conduct of bankruptcy proceedings and in making the decision of whether to grant the petitioning District relief from its creditors. While such a decision might be appealable, the concomitant delay and loss of remedies to the Registered Owner could potentially and adversely impair the value of the Registered Owner's claim.

If a petitioning district were allowed to proceed voluntarily under Chapter 9 of the Federal Bankruptcy Code, it could file a plan for an adjustment of its debts. If such a plan were confirmed by the bankruptcy court, it could, among other things, affect Registered Owners by reducing or eliminating the amount of indebtedness, deferring or rearranging the debt service schedule, reducing or eliminating the interest rate, modifying or abrogating the collateral or security arrangements, substituting (in whole or in part) other securities, and otherwise compromising and modifying the rights and remedies of the Registered Owners' claims against a district.

A district may not be forced into bankruptcy involuntarily.

### **Continuing Compliance with Certain Covenants**

The Bond Order contains covenants by the District intended to preserve the exclusion from gross income of interest on the Bonds. Failure by the District to comply with such covenants in the Bond Order on a continuous basis prior to maturity of the Bonds could result in interest on the Bonds becoming taxable retroactively to the date of original issuance. See "TAX MATTERS."

## **Marketability**

The District has no agreement with the Initial Purchaser regarding the reoffering yields or prices of the Bonds and has no control over trading of the Bonds in the secondary market. Moreover, there is no assurance that a secondary market will be made in the Bonds. If there is a secondary market, the difference between the bid and asked price of the Bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional issuers as such bonds are generally bought, sold or traded in the secondary market.

## **THE BONDS**

### **Description**

The Bonds are dated November 1, 2024 and interest will accrue from the Date of Delivery at the rates shown on the cover page hereof, payable on April 1, 2025, and on each October 1 and April 1 thereafter (each an “Interest Payment Date”) until maturity or redemption. The Bonds mature on April 1 of the years and in the amounts and bear interest at the rates shown under “MATURITY SCHEDULE” on the cover page hereof. The definitive Bonds will be issued only in fully registered form in any integral multiple of \$5,000 for any one maturity and will be initially registered and delivered only to Cede & Co., the nominee of The Depository Trust Company (“DTC”) pursuant to the Book-Entry-Only System described herein. No physical delivery of the Bonds will be made to the owners thereof. Initially, principal of and interest on the Bonds will be payable by the Paying Agent/Registrar to Cede & Co., which will make distribution of the amounts so paid to the participating members of DTC for subsequent payment to the beneficial owners of the Bonds. See “—Book-Entry-Only System” below. Interest calculations are based upon a three hundred sixty (360) day year comprised of twelve (12) thirty (30) day months.

In the event the Book-Entry-Only System is discontinued, interest on the Bonds shall be payable by check on or before each interest payment date, mailed by the Paying Agent/Registrar to the registered owners (“Registered Owners”) as shown on the bond register (the “Register”) kept by the Paying Agent/Registrar at the close of business on the 15th calendar day of the month immediately preceding each interest payment date to the address of such Registered Owner as shown on the Register, or by such other customary banking arrangements as may be agreed upon by the Paying Agent/Registrar and a Registered Owner at the risk and expense of such Registered Owner.

### **Book-Entry-Only System**

The information in this section concerning DTC and DTC’s book-entry system has been obtained from sources that the District believes to be reliable, but the District takes no responsibility for the accuracy or completeness thereof. The District cannot and does not give any assurances that DTC, DTC Direct Participants or Indirect Participants will distribute to the Beneficial Owners (a) payments of interest, principal or premium, if any, with respect to the Bonds, (b) Bonds representing ownership interest in or other confirmation or ownership interest in the Bonds, or (c) prepayment or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Bonds, or that they will do so on a timely basis or that DTC, DTC Direct Participants or DTC Indirect Participants will act in the manner described in this Official Statement. The current “Rules” applicable to DTC are on file with the Securities and Exchange Commission and the current “Procedure” of DTC to be followed in dealing with DTC Direct Participants are on file with DTC.

The Depository Trust Company (“DTC”), New York, NY, will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC’s partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Bonds, in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world’s largest depository, is a limited-purpose trust company organized under the New York Banking Law, a “banking organization” within the meaning of the New York Banking Law, a member of the Federal Reserve System, a “clearing corporation” within the meaning of the New York Uniform Commercial Code, and a “clearing agency” registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.6 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC’s participants (“Direct Participants”) deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants’ accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation (“DTCC”). DTCC is the

holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (“Indirect Participants”). DTC has a rating of “AA+” from S&P Global Ratings. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at [www.dtcc.com](http://www.dtcc.com).

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC’s records. The ownership interest of each actual purchaser of each Bond (“Beneficial Owner”) is in turn to be recorded on the Direct and Indirect Participants’ records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC’s partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC’s records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC’s practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Bonds unless authorized by a Direct Participant in accordance with DTC’s MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the District (or the Trustee on behalf thereof) as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.’s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC’s practice is to credit Direct Participants’ accounts upon DTC’s receipt of funds and corresponding detail information from the District or Paying Agent, on payable date in accordance with their respective holdings shown on DTC’s records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in “street name,” and will be the responsibility of such Participant and not of DTC, the Paying Agent, or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal, premium, if any, interest payments and redemption proceeds to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or the Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The District may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered.

The information in this section concerning DTC and DTC’s book-entry system has been obtained from sources that the District believes to be reliable, but the District takes no responsibility for the accuracy thereof.



### **Use of Certain Terms in Other Sections of this Official Statement**

In reading this Official Statement it should be understood that while the Bonds are in the Book-Entry-Only System, references in other sections of this Official Statement to registered owners should be read to include the person for which the Participant acquires an interest in the bonds, but (i) all rights of ownership must be exercised through DTC and the Book-Entry-Only System, and, (ii) except as described above, notices that are to be given to registered owners under the Order will be given only to DTC.

### **Registration, Transfer and Exchange**

So long as any Bonds remain outstanding, the Paying Agent/Registrar shall keep the Register at its principal payment office and, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of Bonds in accordance with the Bond Order. While the Bonds are in the Book-Entry-Only system, Bonds will be registered only in the name of Cede & Co and held by DTC. See “—Book-Entry-Only System” herein.

### **Paying Agent/Registrar**

The initial Paying Agent/Registrar is The Bank of New York Mellon Trust Company, N.A., in Houston, Texas. In the Bond Order the District retains the right to replace the Paying Agent/Registrar. The District covenants to maintain and provide a Paying Agent/Registrar at all times until the Bonds are duly paid, and any successor Paying Agent/Registrar shall be a commercial bank or trust company organized under the laws of the State of Texas or other entity duly qualified and legally authorized to serve as and perform the duties and services of Paying Agent/Registrar for the Bonds. Upon any change in the Paying Agent/Registrar for the Bonds, the District agrees to promptly cause a written notice thereof to be sent to each Registered Owner of the Bonds by United States mail, first class, postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

### **Source of Payment**

The Bonds, when issued, will constitute valid and binding obligations of the District and are payable as to principal and interest from and are secured by the proceeds of a continuing direct annual ad valorem tax, without legal limitation as to rate or amount, levied against all taxable property located within Defined Area No. 1 (and no other portion of the District). **The Bonds are not secured by taxes levied on any land located within the District outside of the boundaries of the Defined Area No. 1.** In the Bond Order, the District covenants to levy a tax sufficient to pay the principal of and interest on the Bonds, with full allowance being made for delinquencies, costs of levy and collection, Paying Agent/Registrar and Appraisal District fees. Tax proceeds, after deduction for collection costs, will be placed in the Defined Area No. 1 Debt Service Fund (as defined in the Bond Order) and used solely to pay principal of and interest on the Bonds, and on any additional bonds issued by the District payable from taxes which may be levied upon property located only within Defined Area No. 1. See “TAX DATA.”

Neither the faith and credit nor the taxing power of the State of Texas, Harris County the City of Houston, or the area within the District not included in the Defined Area No. 1, is pledged to the payment of the principal of or interest on the Bonds. The Bonds are not obligations of the State of Texas, Harris County, the City of Houston, or any entity other than the District, solely as it relates to Defined Area No. 1.

### **Funds**

In the Bond Order, the Defined Area No. 1 Debt Service Fund is created. The Defined Area No. 1 Debt Service Fund is to be kept separate from all other funds of the District and used for payment of debt service on the Bonds and any of the District’s duly authorized additional bonds issued to benefit Defined Area No. 1, together with interest thereon, as such becomes due. Amounts on deposit in the Defined Area No. 1 Debt Service Fund may also be used to pay the fees and expenses of the Paying Agent/Registrar, and to defray the expenses of assessing and collecting taxes levied for payment of interest on and principal of the Bonds and any additional bonds.

Twelve (12) months of capitalized interest shall be deposited into the Defined Area No. 1 Debt Service Fund. The remaining proceeds from sale of the Bonds including interest earnings thereon, will be deposited into the Defined Area No. 1 Capital Projects Fund to be used for the purpose of acquiring and constructing District facilities, paying Developer interest and for paying the costs of issuing the Bonds. See “USE AND DISTRIBUTION OF BOND PROCEEDS.”

The District also maintains a District Debt Service Fund that is not pledged to the Bonds. Funds in the District Debt Service Fund are not available to pay principal and interest on any outstanding Defined Area No. 1 bonds, including the Bonds.

## **Record Date**

The record date for payment of the interest on any regularly scheduled interest payment date is defined as the 15th day of the month (whether or not a business day) preceding such interest payment date.

## **Redemption Provisions**

***Mandatory Redemption:*** The Bonds maturing on April 1 in each of the years 2042 and 2050 (the “Term Bonds”) shall be redeemed, at a price equal to the principal amount thereof, plus accrued interest to the date fixed for redemption (the “Mandatory Redemption Date”), on April 1 in each of the years and in the principal amounts set forth in the following schedule (with each such scheduled principal amount reduced by the principal amount as may have been previously redeemed through the exercise of the District’s reserved right of optional redemption, as provided under “Optional Redemption” below):

<b>\$1,075,000 Term Bonds</b>		<b>\$1,650,000 Term Bonds</b>	
<b>Due April 1, 2042</b>		<b>Due April 1, 2050</b>	
<b><u>Mandatory</u></b>	<b><u>Principal</u></b>	<b><u>Mandatory</u></b>	<b><u>Principal</u></b>
<b><u>Redemption Date</u></b>	<b><u>Amount</u></b>	<b><u>Redemption Date</u></b>	<b><u>Amount</u></b>
2035	\$ 110,000	2043	\$ 170,000
2036	115,000	2044	180,000
2037	125,000	2045	190,000
2038	130,000	2046	200,000
2039	135,000	2047	210,000
2040	145,000	2048	220,000
2041	155,000	2049	235,000
2042 (maturity)	160,000	2050 (maturity)	245,000

On or before 30 days prior to each Mandatory Redemption Date set forth above, the Registrar shall (i) determine the principal amount of such Term Bonds that must be mandatorily redeemed on such Mandatory Redemption Date, after taking into account deliveries for cancellation and optional redemptions as more fully provided for below, (ii) select, by lot or other customary random method, the Term Bonds or portions of the Term Bonds of such maturity to be mandatorily redeemed on such Mandatory Redemption Date, and (iii) give notice of such redemption as provided in the Bond Order. The principal amount of any Term Bonds to be mandatorily redeemed on such Mandatory Redemption Date shall be reduced by the principal amount of Term Bonds of such maturity, which, by the 45th day prior to such Mandatory Redemption Date, either has been purchased in the open market and delivered or tendered for cancellation by or on behalf of the District to the Registrar or optionally redeemed and which, in either case, has not previously been made the basis for a reduction under this sentence.

***Optional Redemption:*** The District reserves the right, at its option, to redeem the Bonds maturing on or after April 1, 2032 prior to their scheduled maturities, in whole or, from time to time in part, in integral multiples of \$5,000 on April 1, 2031, or any date thereafter, at a price of par value plus accrued interest on the principal amounts called for redemption to the date fixed for redemption.

If fewer than all of the Bonds are optionally redeemed at any time, the maturities and amounts of the Bonds to be redeemed shall be selected by the District. If fewer than all of the Bonds of a certain maturity are to be redeemed, the particular Bonds or portions thereof to be redeemed will be selected by DTC in accordance with its procedures or, if the Bonds are no longer in the Book-Entry-Only System, by the Paying Agent/Registrar by such method of random selection as it deems fair and appropriate.

If a Bond subject to redemption is in a denomination larger than \$5,000, a portion of such Bond may be redeemed, but only in integral multiples of \$5,000. Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a Bond or Bonds of like maturity and interest rate in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

***Effects of Redemption:*** Notice of any redemption identifying the Bonds to be redeemed in whole or in part shall be given by the Paying Agent/Registrar at least thirty (30) days prior to the date fixed for redemption by sending written notice by first class mail to the Registered Owner of each Bond to be redeemed in whole or in part at the address shown on the Register. Such notices shall state the redemption date, the redemption price, the place at which the Bonds are to be surrendered for payment and, if fewer than all the Bonds outstanding within any one maturity are to be redeemed, the numbers of the Bonds or the portions thereof to be redeemed. Any notice given shall be conclusively presumed to have been duly given, whether or not the Registered Owner receives such notice. By the date fixed for redemption, due provision shall have been made with the Paying Agent/Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest to the date fixed for redemption. When

Bonds have been called for redemption in whole or in part and due provision has been made to redeem the same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Registered Owners to collect interest which would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

**Authority for Issuance**

At an election held within Defined Area No. 1 on May 6, 2017, the voters of Defined Area No. 1 authorized the issuance of \$50,000,000 principal amount of unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities within Defined Area No. 1 and for the further purpose of refunding those bonds. The Bonds are the first series of bonds issued out of such authorization. Voters within Defined Area No. 1 may authorize the issuance of additional ad valorem tax bonds for the benefit of Defined Area No. 1.

The Bonds are issued pursuant to the Bond Order, Article XVI, Section 59 of the Texas Constitution; Chapters 49 and 54 of the Texas Water Code, as amended; the general laws of the State of Texas and an order of the Commission. Before the Bonds can be issued, the Attorney General of Texas must pass upon the legality of certain related matters. The Attorney General of Texas does not guarantee or pass upon the safety of the Bonds as an investment or upon the adequacy of the information contained in this Official Statement. See “LEGAL MATTERS—Legal Opinion.”

The Bond Order imposes no limitation on the amount of additional bonds which may be issued by the District (if authorized by the Defined Area No. 1's voters and approved by the Commission). Any additional bonds issued by Defined Area No. 1 may be on parity with the Bonds.

Issuance of additional bonds or other subsequently authorized bonds could affect the investment quality or security of the Bonds. See “RISK FACTORS—Future Debt” and “—Issuance of Additional Debt” herein.

**Issuance of Additional Debt**

*Defined Area No. 1*

The Defined Area No. 1 voters have authorized \$50,000,000 principal amount of unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities within Defined Area No. 1 and for the further purpose of refunding those bonds. After issuance of the Bonds, \$46,500,000 principal amount of unlimited tax bonds will remain authorized but unissued for purposes of construction and acquisition of water, sanitary sewer and drainage facilities within Defined Area No. 1.

Bonds issued for Defined Area No. 1 are payable solely from the proceeds of taxes levied and collected within the boundaries of Defined Area No. 1 and not in any other part of the District. Proceeds of taxes levied by the District for the payment of the Bonds upon taxable property located only within Defined Area No. 1 may not be used for payment of debt service on the District's Outstanding Bonds. See “THE DISTRICT—Defined Area No. 1.” The District levies an ad valorem tax on all property in the District including property in Defined Area No. 1 for payment of the District's Outstanding Bonds.

*The District*

The District's voters have authorized the issuance of \$82,960,000 principal amount of unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities. The District currently has \$27,780,000 principal amount of unlimited tax bonds authorized but unissued for purposes of construction and acquisition of water, sanitary sewer and drainage facilities. The Board has called an election for November 2024 of \$110,000,000 principal amount for additional bonding authorization for unlimited tax bonds for purposes of construction and acquisition of water, sanitary sewer and drainage facilities. The District cannot make any representations that such election will be successful.

The Board is further empowered to borrow money for any lawful purpose and to issue bond anticipation notes, tax anticipation notes, and revenue bonds and notes. The District is also authorized by statute to develop park and recreational facilities. The outstanding principal amount of all recreational facility bonds may not exceed an amount equal to one percent (1%) of the value of the taxable property in the District, unless the District meets certain financial feasibility requirements under the TCEQ rules, in which case the outstanding principal amount of such bonds issued by the District may exceed an amount equal to one percent (1%) but not three percent (3%) of the value of the taxable property in the District.

The District is also authorized by law to engage in fire-fighting activities, including the issuance of bonds payable from taxes for such purpose. Before the District could issue bonds payable from taxes for fire-fighting activities, the following actions would be required: (i) authorization of a detailed master plan and bonds for such purpose by the qualified voters in the District; (ii) approval of the master plan and bonds by the Commission; and (iii) approval of bonds by the Attorney General of Texas. The Board has not considered calling an election at this time for such purposes.

Issuance of any additional bonds could dilute the investment security for the Bonds.

### **Defeasance**

The Bond Order provides that the District may discharge its obligations to the Registered Owners of any or all of the Bonds to pay principal, interest and redemption price thereon in any manner permitted by law. Under current Texas law, such discharge may be accomplished as follows: (i) by paying or causing to pay principal and interest due on the Bonds (whether at maturity, redemption or otherwise) in accordance with the terms of the Bonds; (ii) by depositing with the Comptroller of Public Accounts of the State of Texas a sum of money equal to the principal of, premium, if any, and all interest to accrue on the Bonds to maturity or redemption; or (iii) by depositing with any place of payment (paying agent) of the Bonds or other obligations of the District payable from revenues or from ad valorem taxes or both, or with a commercial bank or trust company designated in the proceedings authorizing the discharge amounts sufficient to provide for the payment and/or redemption of the Bonds; provided that such deposits may be invested and reinvested only in (a) direct noncallable obligations of the United States of America, (b) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (c) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to the investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and which mature and/or bear interest payable at such times and in such amounts as will be sufficient to provide for the scheduled payment and/or redemption of the Bonds.

Upon such deposit or payment as described above, such Bonds shall no longer be regarded as outstanding or unpaid. After firm banking and financial arrangements for the discharge and final payment or redemption of the Bonds have been made as described above, all rights of the District to initiate proceedings to call the Bonds for redemption or take any other action amending the terms of the Bonds are extinguished; provided, however, that the right to call the Bonds for redemption is not extinguished if the District: (i) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Bonds for redemption; (ii) gives notice of the reservation of that right to the owners of the Bonds immediately following the making of the firm banking and financial arrangements; and (iii) directs that notice of the reservation be included in any redemption notices that it authorizes.

There is no assurance that the current law will not be changed in the future in a manner which would permit investments other than those described above to be made with amounts deposited to defease the Bonds.

### **No Arbitrage**

The District will certify as of the date the Bonds are delivered and paid for that, based upon all facts and estimates then known or reasonably expected to be in existence on the date the Bonds are delivered and paid for, the District reasonably expects that the proceeds of the Bonds will not be used in a manner that would cause the Bonds, or any portion of the Bonds, to be "arbitrage bonds" under the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder. Furthermore, all officers, employees, and agents of the District have been authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the District as of the date the Bonds are delivered and paid for. In particular, all or any officers of the District are authorized to certify to the facts and circumstances and reasonable expectations of the District on the date the Bonds are delivered and paid for regarding the amount and use of the proceeds of the Bonds. Moreover, the District covenants in the Bond Order that it shall make such use of the proceeds of the Bonds, regulate investment of proceeds of the Bonds, and take such other and further actions and follow such procedures, including, without limitation, calculating the yield on the Bonds, as may be that the Bonds shall not become "arbitrage bonds" under the Code and the regulations prescribed from time to time thereunder.

## **Annexation**

Under existing Texas law, since the District lies wholly within the extraterritorial jurisdiction of the City, the District must conform to a City consent ordinance. Generally, the District may be annexed by the City without the District's consent, and the City cannot annex territory within the District unless it annexes the entire District; however, the City may not annex the District unless (i) such annexation has been approved by a majority of those voting in an election held for that purpose within the area to be annexed, and (ii) if the registered voters in the area to be annexed do not own more than 50 percent of the land in the area, a petition has been signed by more than 50 percent of the landowners consenting to the annexation. If the District is annexed, the City will assume the District's assets and obligations (including the Bonds) and dissolve the District. Annexation of territory by the City is a policy-making matter within the discretion of the Mayor and City Council of the City of Houston, and therefore, the District makes no representation that the City will ever annex the District and assume its debt. Moreover, no representation is made concerning the ability of the City to make debt service payments should annexation occur.

## **Consolidation**

The District has the legal authority to consolidate with other districts and, in connection therewith, to provide for the consolidation of its assets (such as cash and the utility system) and liabilities (such as the Bonds), with the assets and liabilities of districts with which it is consolidating. Although no consolidation is presently contemplated by the District, no representation is made concerning the likelihood of consolidation in the future.

## **Strategic Partnership**

The District is authorized to enter into a strategic partnership agreement with the City to provide the terms and conditions under which services would be provided and funded by the parties and under which the District would continue to exist for an extended period if the land within the District were to be annexed for full or limited purposes by the City. The terms of any such agreement would be determined by the City and the District, and could provide for the continuance of the District as a limited district following general purpose annexation by the City, the conversion of a limited purpose annexation to a general purpose annexation within ten years, or the payment of a fee in lieu of annexation to be derived from residential property within the District based on the costs of providing municipal services to the District. Although the City has negotiated and entered into such agreements with several other districts in its extraterritorial jurisdiction, none is currently contemplated with respect to the District, although no representation can be made regarding the future likelihood of an agreement or the terms thereof.

## **Legal Investment and Eligibility to Secure Public Funds in Texas**

The following is quoted from Section 49.186 of the Texas Water Code, and is applicable to the District:

“(a) All bonds, notes, and other obligations issued by a district shall be legal and authorized investments for all banks, trust companies, building and loan associations, savings and loan associations, insurance companies of all kinds and types, fiduciaries, and trustees, and for all interest and sinking funds and other public funds of the state, and all agencies, subdivisions, and instrumentalities of the state, including all counties, cities, towns, villages, school districts, and all other kinds and types of districts, public agencies, and bodies politic.”

“(b) A district's bonds, notes, and other obligations are eligible and lawful security for all deposits of public funds of the state, and all agencies, subdivisions, and instrumentalities of the state, including all counties, cities, towns, villages, school districts, and all other kinds and types of districts, public agencies, and bodies politic, to the extent of the market value of the bonds, notes, and other obligations when accompanied by any unmatured interest coupons attached to them.”

The Public Funds Collateral Act (Chapter 2257, Texas Government Code) also provides that bonds of the District (including the Bonds) are eligible as collateral for public funds.

No representation is made that the Bonds will be suitable for or acceptable to financial or public entities for investment or collateral purposes. No representation is made concerning other laws, rules, regulations or investment criteria which apply to or which might be utilized by any of such persons or entities to limit the acceptability or suitability of the Bonds for any of the foregoing purposes. Prospective purchasers are urged to carefully evaluate the investment quality of the Bonds as to the suitability or acceptability of the Bonds for investment or collateral purposes.

## **Amendments**

The District has reserved the right to amend the Bond Order without the consent of the Registered Owners as may be required (a) by the provisions of the Bond Order, (b) for the purpose of curing any ambiguity, inconsistency, or formal defect or omission in the Bond Order, or (c) in connection with any other change not to the prejudice of the Registered Owners, but the District may not otherwise amend the terms of the Bonds or of the Bond Order without the consent of the Registered Owners.

## **Registered Owners' Remedies**

If the District defaults in the payment of principal, interest, or redemption price on the Bonds when due, or if it fails to make payments into any fund or funds created in the Bond Order, or defaults in the observance or performance of any other covenants, conditions, or obligations set forth in the Bond Order, the Registered Owners have the statutory right of a writ of mandamus issued by a court of competent jurisdiction requiring the District and its officials to observe and perform the covenants, obligations, or conditions prescribed in the Bond Order. Except for mandamus, the Bond Order does not specifically provide for remedies to protect and enforce the interests of the Registered Owners. There is no acceleration of maturity of the Bonds in the event of default and, consequently, the remedy of mandamus may have to be relied upon from year to year. Further, there is no trust indenture or trustee, and all legal actions to enforce such remedies would have to be undertaken at the initiative of, and be financed by, the Registered Owners. Statutory language authorizing local governments such as the District to sue and be sued does not waive the local government's sovereign immunity from suits for money damages, so that in the absence of other waivers of such immunity by the Texas Legislature, a default by the District in its covenants in the Bond Order may not be reduced to a judgment for money damages. If such a judgment against the District were obtained, it could not be enforced by direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District to enforce the tax lien on taxable property to pay the principal of and interest on the Bonds. The enforceability of the rights and remedies of the Registered Owners may further be limited by a State of Texas statute reasonably required to attain an important public purpose or by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions, such as the District. See "RISK FACTORS—Registered Owners' Remedies and Bankruptcy Limitations."

## **THE DISTRICT**

### **General**

The District, located in Harris County, Texas, is a political subdivision of the State of Texas. The area comprising the District was originally two municipal utility districts, which were consolidated on August 1, 1998 into one district. The original districts were Harris County Municipal Utility District No. 20, which was created by the Texas Water Rights Commission, predecessor to the Texas Commission on Environmental Quality (the "Commission"), by an order dated December 13, 1972 and Harris County Municipal Utility District No. 73, which was created by order effective September 23, 1977 of the Texas Water Rights Commission. The District operates pursuant to Chapters 49 and 54, Texas Water Code, as amended. The District currently contains approximately 2,412 acres.

The District is empowered, among other things, to purchase, construct, operate and maintain all works, improvements, facilities and plants necessary for the supply and distribution of water; the collection, transportation, and treatment of wastewater; the control and diversion of storm water; and the collection of solid waste. The District may issue bonds and other forms of indebtedness to purchase or construct such facilities. The District also is empowered to establish, operate, and maintain fire-fighting facilities, independently or with one or more conservation and reclamation districts, after approval by the City of Houston, the Commission and the voters of the District. The District has the power to contract for peace officers to prevent or abate the commission of certain offenses against the rules of the District and the laws of the State of Texas. Additionally, the District may, subject to certain limitations, develop and finance parks and recreational facilities.

The Commission exercises continuing supervisory jurisdiction over the District. Construction and operation of the District's water, sewer and storm drainage system is subject to the regulatory jurisdiction of the City of Houston and of additional State of Texas agencies. See "THE SYSTEM—Regulation."

### **Description and Location**

The District is located in northeast Harris County, approximately 23 miles northeast of downtown Houston and two miles northwest of Crosby, Texas, near the southeastern shore of Lake Houston. Access to the District is provided by South Diamondhead Drive, North Diamondhead Drive and Newport Boulevard from FM 2100. The District is located entirely within the extraterritorial jurisdiction of the City of Houston. See "AERIAL PHOTOGRAPH."

## **Defined Area No. 1**

Pursuant to the provisions of Subchapter J of Chapter 54 of the Texas Water Code, as amended, the District is authorized to define areas or designate certain property of the District to pay for improvements, facilities, or services that primarily benefit that area. On May 11, 2017, the District approved the creation of a defined area encompassing approximately 188 acres within the District (the "Defined Area No. 1").

At an election within Defined Area No. 1, held on May 6, 2017, the voters within Defined Area No. 1 authorized \$50,000,000 principal amount of unlimited tax bonds to finance water, sanitary sewer and drainage improvements solely within Defined Area No. 1 and for the further purpose of refunding those bonds, the levy of an unlimited tax in payment of such bonds within the Defined Area No. 1 and the levy of an unlimited operation and maintenance tax for facilities authorized by Article XVI, Section 59 of the Texas Constitution within Defined Area No. 1.

Properties in Defined Area No. 1 will pay taxes to the District based on the District's tax rate plus the Defined Area No. 1 tax rate. For 2024, the Defined Area No. 1 debt service tax rate is \$0.7774 per \$100 assessed valuation and the combined total tax rate in Defined Area No. 1 is \$1.40 per \$100 assessed valuation.

Bonds issued for Defined Area No. 1, including the Bonds, are payable solely from the proceeds of taxes levied and collected within the boundaries of Defined Area No. 1 and not in any other part of the District. Proceeds of taxes levied by the District for payment of the Bonds upon taxable property located only within Defined Area No. 1 may not be used for payment of debt service on the District's Outstanding Bonds. See "RISK FACTORS." The District levied an ad valorem tax on all property in the District, including property within Defined Area No. 1 for payment of the District's Outstanding Bonds.

## **Defined Area No. 2**

On November 17, 2022, the District approved the creation of a defined area encompassing approximately 107 acres (of which 62 acres were annexed into the District in 2022) within the District (the "Defined Area No. 2"). At an election within Defined Area No. 2, held on November 8, 2022, the voters within Defined Area No. 2 authorized \$55,000,000 principal amount of unlimited tax bonds to finance water, wastewater and drainage improvements solely within Defined Area No. 2. At an election within Defined Area No. 2 held on May 6, 2023, the voters within Defined Area No. 2 authorized \$18,350,000 for the further purpose of refunding those bonds, the levy of an unlimited tax in payment of such bonds within Defined Area No. 2 and the levy of an unlimited operation and maintenance tax for facilities authorized by Article XVI, Section 59 of the Texas Constitution within Defined Area No. 2.

All land in Defined Area No. 2 is owned by Taylor Morrison of Texas, Inc. and Davidson Homes LLC. While the District anticipates future development, there can be no assurances given as to whether or when any of such undeveloped land will ultimately be developed. For 2024, the Defined Area No. 2 maintenance tax rate is \$0.7774 per \$100 assessed valuation and the combined total tax rate in Defined Area No. 2 is \$1.40 per \$100 assessed valuation.

## **STATUS OF DEVELOPMENT IN THE DISTRICT**

### **Residential Development**

The District began as part of the approximately 5,914 acres Newport Project, development of which began during the 1970's. Approximately 1,801 acres of land within the District have been developed, have been partially developed or are being developed into 4,950 lots.

As of July 29, 2024, there were 4,245 completed and occupied homes, 51 completed and unoccupied homes, 53 homes listed in a builder's name or under construction, and 601 vacant lots. Some of the 601 vacant lots are owned by individuals and may have homes built on two lots or may be owned by the adjacent homeowner with no intention of building on the lot.

### **Homebuilding Program**

D.R. Horton, Texas Ltd. ("D.R. Horton") and Castlerock Homes are building homes within the District, which average approximately \$268,000 to \$436,000 in sales price. There are also custom homebuilders building on individually owned lots.

### **Other Development**

Approximately 21 acres of land have been developed into the Fairway Port Condominiums, consisting of 76 condominium units, the Newport Village Apartments, consisting of 80 units and the Spring Hill Village Apartments, consisting of 78 apartment units.

The International Union of Operating Engineers (the “IUOE”) owns approximately 203 acres within the District on which it has constructed a dormitory and conference center which is exempt from ad valorem taxation. The IUOE previously made a payment in lieu of taxes to the District. See “WATER AND SEWER OPERATIONS—Waterworks and Sewer System Operating Statement.”

A gas station/convenience store, a car wash, a kidney dialysis center, a daycare center, a retail store, a retail strip center and a bank are located in the District on approximately 22 acres of land in the District. Also, a dental office, a gun range and an Emergency Medical Service facility are located in the District, but are not provided service by the District. A Crosby Volunteer Fire Department fire station and the Harvest Time Church of God, which are exempt from ad valorem taxation, are located in the District. The District also provides water and sewer service to the Newport Elementary School, which is not located in the District. Approximately 76 acres have been developed into the Newport Golf and Conference Center (now known as Stonebridge at Newport), which includes an 18-hole golf course.

**Undeveloped Acreage**

There are approximately 255 developable acres in the District remaining to be developed. There are approximately 34 undevelopable acres which are used for plant sites detention areas and open space.

**STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1**

**Residential Development**

Newport Pointe, Ltd. (“NP Ltd.”) has developed Newport Pointe, Section 1 (124 lots on approximately 35 acres), Newport Pointe, Section 2 (42 lots on approximately 10 acres), Newport Pointe, Section 3 (11 lots on approximately 4 acres) and Newport Pointe, Section 4 (59 lots on approximately 16 acres). As of August 9, 2024, there were 127 homes completed (127 occupied), 38 homes under construction and 71 developed lots available for homebuilding in Defined Area No. 1. In addition, NP Ltd. is developing Newport Pointe, Section 5 (84 lots on approximately 22 acres) with expected lot delivery in the fourth quarter of 2024.

**Homebuilding Program**

D.R. Horton, Texas Ltd. (“D.R. Horton”) is currently the sole homebuilder within Defined Area No. 1. According to the Developer, average sales prices in Defined Area No. 1 range from approximately \$260,000 to \$350,000.

**Undeveloped Acreage**

There are approximately 77 acres of remaining developable land and 24 acres of undevelopable land in Defined Area No. 1.

**MANAGEMENT**

**Board of Directors**

The District is governed by the Board of Directors, consisting of five (5) directors, which has control over and management supervision of all affairs of the District. Directors are elected to four-year staggered terms, and elections are held in May in even numbered years only. All of the Directors own property in the District subject to taxation. The Directors of the District are listed below:

<u>Name</u>	<u>Title</u>	<u>Term Expires</u>
Margarette Chasteen	President	May 2028
DeLonne Johnson	Vice President	May 2026
Deborah Florus	Secretary	May 2026
Earl Boykin	Assistant Secretary	May 2026
Gary Hasse	Director	May 2028



While the District does not have any employees, it has contracted for certain services as follows:

**Tax Appraisal**

Land and improvements within the District are appraised for ad valorem taxation purposes by the Harris Central Appraisal District.

**Tax Assessor/Collector**

The District's tax assessor/collector is Assessments of the Southwest, Inc. (the "Tax Assessor/Collector").

**Bookkeeper**

The District contracts with McLennan & Associates, L.P. for bookkeeping services.

**Operator**

The District contracts with Si Environmental, LLC for operations and maintenance services.

**Engineer**

The District's consulting engineer is Lockwood, Andrews & Newnam, Inc. (the "Engineer").

**Attorney**

The District has engaged Smith, Murdaugh, Little & Bonham, L.L.P. as general counsel and as Bond Counsel in connection with the issuance of the Bonds. In addition, Smith, Murdaugh, Little & Bonham, L.L.P. serves as general counsel to the District on matters other than the issuance of bonds.

**Financial Advisor**

Masterson Advisors LLC (the "Financial Advisor") serves as financial advisor to the District. The fee to be paid the Financial Advisor is contingent upon sale and delivery of the Bonds.

**Auditor**

As required by the Texas Water Code, the District retains an independent auditor to audit the District's financial statements annually, which audit is filed with the Commission. The District's audited financial statements for the fiscal year ending December 31, 2023 have been prepared by McCall Gibson Swedlund Barfoot PLLC. See "APPENDIX A" for a copy of the District's December 31, 2023 audited financial statements.

**Disclosure Counsel**

McCall, Parkhurst & Horton L.L.P., Dallas, Texas has been engaged by the District to serve as Disclosure Counsel. The fee for services rendered in connection with the issuance of the Bonds are contingent upon the sale and delivery of the Bonds.

**THE DEVELOPER**

**Role of a Developer**

In general, the activities of a landowner or developer in a municipal utility district such as the District include designing the project, defining a marketing program and setting building schedules; securing necessary governmental approvals and permits for development; arranging for the construction of streets and the installation of utilities; and selling or leasing improved tracts or commercial reserves to other developers or third parties. A developer is under no obligation to a district to undertake development activities according to any particular plan or schedule. Furthermore, there is no restriction on a developer's right to sell any or all of the land which the developer owns within a district. In addition, the developer is ordinarily the major taxpayer within the district during the early stages of development. The relative success or failure of a developer to perform in the above-described capacities may affect the ability of a district to collect sufficient taxes to pay debt service and retire bonds.

Prospective Bond purchasers should note that the prior real estate experience of the developer should not be construed as an indication that further development within the District will occur, or that construction of taxable improvements upon property within the District will occur, or that marketing or leasing of taxable improvements constructed upon property within the District will be successful.

None of the developers are responsible for, liable for, or has made any commitments for payment of the Bonds or other obligations of the District. None of the developers have a legal commitment to the District or owners of the Bonds to continue development of land within the District and each developer may sell or otherwise dispose of its property within the District, or any other assets, at any time. Further, the financial condition of each of the developers is subject to change at any time.

### **Newport Pointe, Ltd.**

Newport Pointe, Ltd. (“NP Ltd.”) originally owned 188 acres of land in Defined Area No. 1. NP Ltd. has developed Newport Pointe, Section 1 (124 lots on approximately 35 acres), Newport Pointe, Section 2 (42 lots on approximately 10 acres), Newport Pointe, Section 3 (11 lots on approximately 4 acres) and Newport Pointe, Section 4 (59 lots on approximately 16 acres). In addition, NP Ltd. is developing Newport Pointe, Section 5 (84 lots on approximately 22 acres) with expected lot delivery in the fourth quarter of 2024. NP Ltd. continues to own approximately 77 developable acres within Defined Area No. 1.

NP Ltd. is defined herein as the “Developer.” See “THE DISTRICT—Defined Area No. 1.”

## **THE SYSTEM**

### **Regulation**

According to the Engineer, the District's water distribution, wastewater collection, and storm drainage facilities (collectively, the “System”) have been designed in accordance with accepted engineering practices and the then current requirements of various agencies having regulatory or supervisory jurisdiction over the construction and operation of such facilities. The construction of the System was required to be accomplished in accordance with the standards and specifications of such entities and is subject to inspection by each such entity. Operation of the System must be accomplished in accordance with the standards and requirements of such entities. The Commission exercises continuing supervisory authority over the District. Discharge of treated sewage is subject to the regulatory authority of the Commission and the U.S. Environmental Protection Agency. Construction of drainage facilities is subject to the regulatory authority of the Harris County Flood Control District, Harris County and, in some instances, the Commission. Harris County, the City of Houston, and the Texas Department of Health also exercise regulatory jurisdiction over the System. The regulations and requirements of entities exercising regulatory jurisdiction over the System are subject to further development and revision which, in turn, could require additional expenditures by the District in order to achieve compliance. In particular, additional or revised requirements in connection with any permit for the wastewater treatment plant which provides service to the District beyond the criteria existing at the time of construction of the plant could result in the need to construct additional facilities in the future. The following descriptions are based upon information supplied by the Engineer.

### **Water Supply**

The water supply system that currently serves the District includes two water plants and a surface water treatment plant. Water Plant No. 1 has an 1,800 gallon-per-minute (“gpm”) water well capacity, and Water Plant No. 2 has a 1,000 gpm water well capacity that is not currently in operation. The surface water treatment plant has a 1,700 gpm capacity.

The District has booster pump capacity of 7,000 gpm, 1,500,000 gallons of ground storage tank capacity, a 600,000 gallon elevated storage tank and 40,000 gallons of hydropneumatic tank capacity. The District has entered into a Water Supply Contract with the San Jacinto River Authority, effective as of April 17, 2008 for the purchase of 1,850,000 gallons of untreated surface water per day with the ability to take up to 130% of that amount, if supplies are available.

The District's existing water supply facilities are sufficient to serve 6,000 ESFCs which is sufficient to serve the existing and proposed development within the District; however, as described below, because of requirements of the Harris-Galveston Coastal Subsidence District to reduce groundwater usage, the District will be required to expand its surface water treatment plant in the future to maintain the required ground water to surface water production ratios. Design of the surface water treatment plant expansion is completed, and construction is expected to commence in the first quarter of 2025. The District has entered into a Water Supply Agreement with Harris County Municipal Utility District No. 578 ("No. 578") to provide water to No. 578. No. 578 is required to construct a water supply line and related facilities from the District to No. 578. Pursuant to the Water Supply Agreement, No. 578 purchases sufficient capacity to serve 185 ESFCs. No. 578 has indicated its intent to exercise its option to purchase additional capacity to serve an additional 124 ESFCs for total capacity to serve 309 ESFCs. The District is never obligated to provide more than 350 ESFCs to No. 578. The District could need to expand the surface water treatment plant earlier than would otherwise be necessary as a result of the Agreement with No. 578. Pursuant to such Water Supply Agreement with No. 578, No. 578 is obligated to pay the District a total of \$1,262 per ESFCs in two equal installments, which the first of such installment was received, and to make monthly payments for water at 150% of the in-District rate.

### **Subsidence District Requirements**

The District is within the boundaries of the Harris-Galveston Subsidence District (the "Subsidence District") which regulates groundwater withdrawal. The District's authority to pump groundwater from its well is subject to annual permits issued by the Subsidence District. On April 14, 1999, the Subsidence District adopted a District Regulatory Plan (the "1999 Plan") to reduce groundwater withdrawal through conversion to surface water in areas within the Subsidence District's jurisdiction, which was amended in 2013 (the "2013 Plan"). The District is located partly in Area 2 and partly in Area 3 of regulatory areas as defined by the Subsidence District. Under the 1999 plan, well owners in Area 2 were required with a certified Ground Water Reduction plan to convert to 80% surface water by 2003. The District submitted the required Ground Water Reduction Plan, which was approved and certified by the Subsidence District Board of Directors. Pursuant to the 2013 Plan, well owners in Area 3 are required to convert to a minimum of 30% surface water by 2010, 60% surface water by 2025 and to 80% surface water by 2035. The District has completed the design phase of the surface water treatment plant expansion and construction is expected to commence in the first quarter of 2025. Upon completion of the expansion, the District will comply with the Subsidence District mandates.

### **Wastewater Treatment System**

The District's wastewater treatment is provided by a wastewater treatment plant with 1,300,000 gallons per day ("gpd") capacity, which is sufficient to serve 5,809 equivalent single-family connections ("esfc") based on 223.8 gpd. The wastewater treatment plant is currently operating at 70% of the design capacity.

The District has entered into a Wastewater Treatment Agreement with Harris County Municipal Utility District No. 578 ("No. 578") to provide wastewater service to No. 578. No. 578 is required to construct a sewer line and related facilities from the District to No. 578. The District is never obligated to provide more than 350 ESFCs to No. 578. The District could need to expand the wastewater treatment plant earlier than would otherwise be necessary as a result of the Agreement with No. 578. Pursuant to such Wastewater Treatment Agreement with No. 578, No. 578 is obligated to pay the District a total of \$1,738 per ESFCs in two equal installments, which the first of such installment was received, and to make monthly payments for sewer at 150% of the in-District rate. Pursuant to the Wastewater Treatment Agreement, No. 578 purchases sufficient capacity to serve 185 ESFCs. No. 578 has indicated its intent to exercise its option to purchase additional capacity to serve an additional 124 ESFCs for total capacity to serve 309 ESFCs. The District is in the design phase of the wastewater treatment plant expansion. The District received a discharge permit that allows for an increase of the permitted capacity to 2,000,000 gpd average daily flow, which will serve 6,666 esfcs upon the completion of the expansion of the wastewater treatment plant. The next wastewater treatment plant expansion is currently planned for 2027.

### **Water Distribution and Sanitary Sewer Collection and Drainage System**

The District's System includes water, sanitary sewer and drainage facilities to serve the subdivisions and other development described under the section "STATUS OF DEVELOPMENT IN THE DISTRICT."

### **Recreational Facilities**

The District has constructed 2.9 miles of pedestrian trails along Gum Gully with associated amenities, including neighborhood access points, trailheads, parking areas, trail signage, limited security lighting, benches, trash receptacles, and low water crossings. The District has also constructed amenities at three park sites: Park Site 1 on Port O'Call, Park Site 2 on South Diamondhead, and Park Site 3 on Flying Bridge. In addition, the District owns and maintains recreational facilities in Via Dora Park. These park sites include splash pads, play courts, playgrounds, swing sets, pedestrian paths, benches, parking areas, pavilions and restrooms. The District voters have not authorized the levy of a maintenance tax to fund on-going maintenance and operating expenses associated with the recreational facilities. The District uses net revenues from its General Fund to fund such expenses.

## **100-Year Flood Plain**

“Flood Insurance Rate Map” or “FIRM” means an official map of a community on which the Federal Emergency Management Agency (“FEMA”) has delineated the appropriate areas of flood hazards. The 1% chance of probable inundation, also known as the 100-year flood plain, is depicted on these maps. The “100-year flood plain” (or 1% chance of probable inundation) as shown on the FIRM is the estimated geographical area that would be flooded by a rain storm of such intensity to statistically have a one percent chance of occurring in any given year. Generally speaking, homes must be built above the 100-year flood plain in order to meet local regulatory requirements and to be eligible for federal flood insurance. An engineering or regulatory determination that an area is above the 100-year flood plain is no assurance that homes built in such area will not be flooded. The District’s drainage system has been designed and constructed to all current standards. According to the District’s Engineer, there are approximately 170 acres of land in the District located in the 100-year flood plain, including approximately 78 acres that are located within the designated floodway. Approximately 197 existing homes and the Spring Hill Village Apartments are located on property at least partially within the 100-year flood plain. There are also 86 developed vacant lots, 191 platted, but undeveloped lots and approximately 59 developable, but undeveloped, acres that are at least partially located with the 100-year flood plain. Mitigation has occurred on the land within the flood-plain (but not within the floodway) which has been developed to date. None of the acreage or lots described above are located within Defined Area No. 1.

## **Atlas 14**

In 2018, the National Weather Service completed a rainfall study known as NOAA Atlas 14, Volume 11 Precipitation-Frequency Atlas for the United States (“Atlas 14”). Floodplain boundaries within the District may be redrawn based on the Atlas 14 study based on a higher statistical rainfall amount, resulting in interim floodplain regulations applying to a larger number of properties and consequently leaving less developable property within the District. Such regulations could additionally result in higher insurance rates, increased development fees, and stricter building codes for any property located within the expanded boundaries of the floodplain.

## USE AND DISTRIBUTION OF BOND PROCEEDS

The construction costs below were compiled by the District’s Engineer and were submitted to the Commission in Defined Area No. 1’s bond application. Non-construction costs are based upon either contract amounts or estimates of various costs by the Engineer and Financial Advisor. The actual amounts to be reimbursed by the District and the non-construction costs will be finalized after the sale of the Bonds and completion of agreed-upon procedures by the District’s auditor. The surplus funds may be expended for any lawful purpose for which surplus construction funds may be used, if approved by the Commission, where required.

### CONSTRUCTION COSTS

Newport Pointe Section One & North Diamondhead Boulevard - Water, Wastewater & Drainage.....	\$	2,280,449
Engineering.....		329,464

**Total Construction Related Costs.....** **\$ 2,609,913**

### NON-CONSTRUCTION COSTS

Legal Fees.....	\$	92,500
Fiscal Agent Fees.....		70,000
Capitalized Interest (Twelve (12) Months) (a).....		148,750
Developer Interest (Estimated).....		338,001
Bond Discount.....		105,000
Bond Issuance Expenses.....		39,836
Bond Application Report Costs.....		40,000
Attorney General Fee.....		3,500
TCEQ Bond Issuance Fees.....		8,750
Contingency (a).....		43,750

**Total Non-Construction Costs.....** **\$ 890,087**

**TOTAL BOND ISSUE.....** **\$ 3,500,000**

(a) Contingency represents the difference in the estimated and actual amounts of capitalized interest and can be used for purposes allowed and approved by the Commission.

In the event approved estimated amounts exceed actual costs, the difference comprises a surplus which may be expended for uses in accordance with the rules of the Commission. In the event actual costs exceed previously estimated amounts and contingencies, additional Commission approval and the issuance of additional bonds may be required.

### Future Debt

There are approximately 77 developable acres in Defined Area No. 1 remaining to be developed (excluding the 84 lots on approximately 22 acres under construction). Excluding interest, the Developer has expended approximately \$9,160,000 for facilities constructed on behalf of Defined Area No. 1 and \$2,250,000 for facilities constructed on behalf of the District. After reimbursement from Bond proceeds, the Developer will be owed approximately \$6,550,000 for facilities constructed on behalf of Defined Area No. 1. Defined Area No. 1 and the District may issue future bonds to repay the Developer in accordance with the various contracts between the Developer, Defined Area No. 1 and the District.

## WATER AND SEWER OPERATIONS

### General

The Bonds are payable from the levy of an annual ad valorem tax, without legal limitation as to rate or amount, upon all taxable property in Defined Area No. 1 within the District. Net revenues, if any, derived from the operation of the District's water and sewer operations are not pledged to the payment of the Bonds and the District's Outstanding Bonds (except for the Series 2013 Waterworks and Sewer System Combination Unlimited Tax and Revenue Refunding Bonds and the Series 2016 Waterworks and Sewer System Combination Unlimited Tax and Revenue Refunding Bonds) but are available for any lawful purpose including payment of debt service on the Bonds at the discretion and upon action of the Board. It is not anticipated that any significant revenues will be available for the payment of debt service on the Bonds and the Outstanding Bonds.

### Waterworks and Sewer System Operating Statement

The following statement sets forth in condensed form the historical results of operation of the District's General Operating Fund. Accounting principles customarily employed in the determination of net revenues have been observed and in all instances exclude depreciation. Such summary is based upon information obtained from the District's audited financial statements for the fiscal years ended December 31, 2020 through 2023 and for the eight-month period ended August 31, 2024, provided by the District's bookkeeper. Reference is made to such statements for further and complete information.

	1/1/2024 to 8/31/2024 (a)	Fiscal Year Ended December 31			
		2023	2022	2021	2020
<b>Revenues</b>					
Property Taxes	\$ 3,384,055	\$ 3,276,407	\$ 2,247,056	\$ 2,371,145	\$ 2,076,309
Water Service	1,654,041	2,461,028	2,561,512	1,802,678	1,775,184
Wastewater Service	1,974,546	2,980,681	2,766,567	2,632,301	2,163,939
San Jacinto River Authority Fees	117,960	197,052	169,730	142,313	140,904
Capital Project Base Fees	-	-	-	-	1,322,956
Penalty and Interest	90,123	129,778	103,944	81,396	58,983
Tap Connection and Inspection Fees	243,084	557,606	73,625	625,217	533,543
Groundwater Credits	243,770	397,034	321,260	323,222	283,398
Capital Contributions	-	-	555,000	-	-
Grant Revenues	-	-	879,695 (b)	-	-
Investment and Miscellaneous Revenues	870,698	1,043,126	367,836	117,004	125,222
<b>Total Revenues</b>	<b>\$ 8,578,276</b>	<b>\$ 11,042,712</b>	<b>\$ 10,046,225</b>	<b>\$ 8,095,276</b>	<b>\$ 8,480,438</b>
<b>Expenditures</b>					
Professional Fees	\$ 466,523	\$ 532,328	\$ 431,560	\$ 411,334	\$ 576,927
Contracted Services	2,327,447	3,497,793	3,462,406	3,399,581	3,335,931
Purchased Water Service	259,805	376,270	344,378	334,249	325,008
Utilities	177,432	281,262	194,795	219,113	193,241
Repairs and Maintenance	959,606	1,199,809	1,229,231	1,098,928	1,065,822
Bad Debt Expense	-	-	-	-	599,665 (c)
Other	587,756	831,781	696,120	697,381	846,358
Capital Outlay	635,940	623,701	-	186,928	121,467
Note Principal	-	4,545	4,170	3,826	3,510
Note Interest	-	735	1,110	1,454	1,770
<b>Total Expenditures</b>	<b>\$ 5,414,508</b>	<b>\$ 7,348,224</b>	<b>\$ 6,363,770</b>	<b>\$ 6,352,794</b>	<b>\$ 7,069,699</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ 3,163,768</b>	<b>\$ 3,694,488</b>	<b>\$ 3,682,455</b>	<b>\$ 1,742,482</b>	<b>\$ 1,410,739</b>
<b>Other Sources (Uses)</b>					
Interfund Transfers In (Out)	\$ -	\$ -	\$ -	\$ 250,525	\$ -
Insurance Proceeds	-	-	52,274	189,540	362,007
<b>Total Other Financing Sources</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 52,274</b>	<b>\$ 440,065</b>	<b>\$ 362,007</b>
<b>Fund Balance (Beginning of Year)</b>	<b>\$ 20,174,913</b>	<b>\$ 16,480,425</b>	<b>\$ 12,745,696</b>	<b>\$ 10,563,149 (d)</b>	<b>\$ 4,290,403</b>
<b>Fund Balance (End of Year)</b>	<b>\$ 23,338,681</b>	<b>\$ 20,174,913</b>	<b>\$ 16,480,425</b>	<b>\$ 12,745,696</b>	<b>\$ 6,063,149</b>

(a) Unaudited. Provided by the District's bookkeeper.

(b) Represents reimbursements from insurance claims. See "RISK FACTORS—Extreme Weather Events."

(c) In connection with the termination of the Water Supply Agreement with Harris County Municipal Utility District No. 525.

(d) In 2018, the Appraisal District granted the IUOE development a "temporary" property tax exemption. In 2020, upon completion of the development, the Appraisal District granted the development full tax-exempt status. Subsequently, the IUOE paid the District \$4,500,000 in lieu of property taxes during the temporary property tax exempt period. The balance is restated to include such payment.

**DEFINED AREA NO. 1 DEBT SERVICE REQUIREMENTS**

The following sets forth the debt service requirements for the Bonds. This schedule does not reflect the fact that twelve (12) months of interest will be capitalized from Bond proceeds. See "USE AND DISTRIBUTION OF BOND PROCEEDS."

Year	Debt Service on the Bonds		
	Principal	Interest	Total
2025		\$ 130,983	\$ 130,983
2026	\$ 70,000	147,263	217,263
2027	75,000	144,181	219,181
2028	75,000	140,994	215,994
2029	80,000	137,700	217,700
2030	85,000	134,194	219,194
2031	90,000	130,475	220,475
2032	95,000	126,544	221,544
2033	100,000	122,400	222,400
2034	105,000	118,044	223,044
2035	110,000	113,475	223,475
2036	115,000	108,694	223,694
2037	125,000	103,594	228,594
2038	130,000	98,175	228,175
2039	135,000	92,544	227,544
2040	145,000	86,594	231,594
2041	155,000	80,219	235,219
2042	160,000	73,525	233,525
2043	170,000	66,513	236,513
2044	180,000	59,075	239,075
2045	190,000	51,213	241,213
2046	200,000	42,925	242,925
2047	210,000	34,213	244,213
2048	220,000	25,075	245,075
2049	235,000	15,406	250,406
2050	245,000	5,206	250,206
<b>Total</b>	<b>\$ 3,500,000</b>	<b>\$ 2,389,220</b>	<b>\$ 5,889,220</b>

Maximum Annual Debt Service Requirement (2049)..... \$250,406  
 Average Annual Debt Service Requirement (2025-2050)..... \$226,508

## FINANCIAL STATEMENT

2024 Taxable Assessed Valuation of Defined Area No. 1.....	\$36,305,917	(a)
Estimated Taxable Assessed Valuation as of July 1, 2024 of Defined Area No. 1.....	\$42,763,009	(b)
 Gross Debt Outstanding of Defined Area No. 1 (after issuance of the Bonds).....	 \$3,500,000	
 Ratios of Gross Debt of Defined Area No. 1 to:		
2024 Taxable Assessed Valuation .....	9.64%	
Estimated Taxable Assessed Valuation as of July 1, 2024 .....	8.18%	

Area of Defined Area No. 1 – 188 acres  
Estimated 2024 Population – 444 (c)

- (a) The Harris Central Appraisal District (the “Appraisal District”) has certified \$34,706,412 of taxable value within Defined Area No. 1 as of January 1, 2024. An additional \$1,599,505 of taxable value, which represents the owner’s opinion of the value of the uncertified value and is subject to review and adjustment prior to certification, remains uncertified. See “TAX PROCEDURES.”
- (b) Provided by the Appraisal District for informational purposes only. Such amounts reflect an estimate of the taxable assessed value within Defined Area No. 1 on July 1, 2024. Increases in value that occur between January 1, 2024 and July 1, 2024 will be assessed for purposes of taxation on January 1, 2025. See “TAX PROCEDURES.”
- (c) Based upon 3.5 persons per occupied home.

### **Cash and Investment Balances** (unaudited as of September 19, 2024)

District Capital Projects Fund	Cash and Temporary Investments	\$15,100,277
District Operating Fund	Cash and Temporary Investments	\$22,040,829 (a)
District Debt Service Fund	Cash and Temporary Investments	\$2,829,955 (b)
Defined Area No. 1 Capital Projects Fund	Cash and Temporary Investments	\$0 (c)
Defined Area No. 1 Operating Fund	Cash and Temporary Investments	\$98,894
Defined Area No. 1 Debt Service Fund	Cash and Temporary Investments	\$0 (d)

- (a) Includes \$4,500,000 paid by the IUOE.
- (b) Reflects funds available for payment of debt service on District’s Outstanding Bonds (as defined herein) that are not Defined Area No. 1 Outstanding Bonds. Such funds may not be used for payment of debt service on Defined Area No. 1 bonds, including the Bonds.
- (c) To be created upon closing of the Bonds.
- (d) To be created upon closing of the Bonds. Twelve (12) months of capitalized interest from the Bonds will be deposited into this account upon closing of the Bonds. See “USE AND DISTRIBUTION OF BOND PROCEEDS.” Neither the Bond Order nor Texas law requires that the District maintain any particular balance in the Debt Service Fund.

### **District Investment Policy**

The District’s goal is to minimize credit and market risks while maintaining a competitive yield on its portfolio. Funds of the District are invested either in short term U.S. Treasury obligations or certificates of deposit insured by the Federal Deposit Insurance Corporation or secured by collateral held by a third party institution. The District does not own any long term securities or derivative products in the District’s investment portfolio.



**Outstanding Bonds** (as of September 1, 2024)

*Defined Area No. 1*

The Bonds represent the District’s first issuance of unlimited tax bonds that are secured by the proceeds of taxes levied upon taxable property located only within Defined Area No. 1.

*The District*

The District has previously issued one series of waterworks and sewer system combination unlimited tax and revenue bonds, seven series of unlimited tax bonds, two series of unlimited tax park bonds and five series of unlimited tax and revenue refunding bonds that are secured by the proceeds of taxes levied upon all taxable property within the entire District (including Defined Area No. 1). As of the date hereof, the District has an aggregate of \$55,990,000 principal amount outstanding (the “District’s Outstanding Bonds”).

**ESTIMATED OVERLAPPING DEBT AND TAX RATES STATEMENT**

Expenditures of the various taxing entities which include the territory in the District are paid out of ad valorem taxes levied by such entities on properties within the District. Such entities are independent of the District and may incur borrowings to finance their expenditures. This statement of direct and estimated overlapping ad valorem tax bonds (“Tax Debt”) was developed from information contained in “Texas Municipal Reports” published by the Municipal Advisory Council of Texas. Except for the amounts relating to the District, the District has not independently verified the accuracy or completeness of such information, and no person should rely upon such information as being accurate or complete. Furthermore, certain of the entities listed may have issued additional bonds since the date of such reports, and such entities may have programs requiring the issuance of substantial amounts of additional bonds, the amount of which cannot be determined. The following table reflects the estimated share of overlapping Tax Debt allocable to the District.

Taxing Jurisdiction	Outstanding Bonds	As of	Overlapping	
			Percent	Amount
Harris County.....	\$ 2,577,839,039	8/31/2024	0.001%	\$ 25,778
Harris Co. Department of Education.....	28,960,000	8/31/2024	0.001%	290
Harris Co. Flood Control.....	991,095,000	8/31/2024	0.001%	9,911
Harris Co. Hospital District.....	65,285,000	8/31/2024	0.001%	653
Port of Houston Authority.....	426,134,397	8/31/2024	0.001%	4,261
Crosby ISD.....	193,440,000	8/31/2024	0.136%	263,078
The District (a).....	55,990,000	8/31/2024	0.377%	211,082
Total Estimated Overlapping Debt.....				\$ 515,054
Defined Area No. 1.....	3,500,000 (b)	Current	100.00%	3,500,000
Total Direct and Estimated Overlapping Debt.....				\$ 4,015,054
Ratio of Direct and Estimated Overlapping Debt to the 2024 Taxable Assessed Valuation.....				11.06%
Ratio of Direct and Estimated Overlapping Debt to the Estimated Taxable Assessed Valuation as of July 1, 2024.....				9.39%

(a) Includes the District’s Outstanding Bonds.  
 (b) The Bonds.

**Overlapping Tax Rates**

	<u>Tax Rate per \$100 of Taxable Assessed Valuation</u>
Harris County (a).....	\$ 0.535090
Crosby ISD.....	1.237500
Harris County ESD No. 80.....	0.050000
Harris County ESD No. 5.....	0.030000
The District (b).....	<u>0.622600</u>
Total Overlapping Tax Rate.....	\$ 2.475190
Defined Area No. 1 (b).....	<u>\$ 0.777400</u>
Total Tax Rate.....	\$ 3.252590

- (a) Includes Harris County, Harris County Flood Control District, Harris County Hospital District, Harris County Department of Education and the Port of Houston Authority.  
 (b) See "TAX DATA—Tax Rate Distribution."

**TAX DATA**

**Tax Collections**

The following statement of tax collections sets forth in condensed form the historical tax collection experience of Defined Area No. 1. This summary has been prepared for inclusion herein, based upon information from District’s records. Reference is made to these records for further and more complete information.

<u>Tax Year</u>	<u>Taxable Assessed Valuation</u>	<u>Tax Rate</u>	<u>Total Tax Levy</u>	<u>Total Collections as of August 31, 2024 (a)</u>	
				<u>Amount</u>	<u>Percent</u>
2019	\$ 68,137	\$ 0.6640	\$ 452	\$ 452	100.00%
2020	2,588,470	0.6511	16,854	16,854	100.00%
2021	2,588,471	0.7838	20,288	20,288	100.00%
2022	3,194,254	0.7977	25,481	25,481	100.00%
2023	3,962,583	0.7977	31,610	28,924	91.50%
2024	36,305,917	0.7774	282,242	(b)	(b)

- (a) Unaudited.  
 (b) In process of collection. Taxes for 2024 are due by January 31, 2025.

Taxes are due October 1 and are delinquent after January 31 of the following year. No split payments are allowed, and no discounts are allowed.

## **Tax Rate Distribution**

### **The District**

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Debt Service (a)	\$ 0.3150	\$ 0.2700	\$ 0.2550	\$ 0.3400	\$ 0.2800
Maintenance and Operations (b)	<u>0.3076</u>	<u>0.3323</u>	<u>0.3473</u>	<u>0.2762</u>	<u>0.3189</u>
Total	\$ 0.6226	\$ 0.6023	\$ 0.6023	\$ 0.6162	\$ 0.5989

### **Defined Area No. 1**

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Debt Service (c)	\$ 0.7774	\$ -	\$ -	\$ -	\$ -
Maintenance and Operations (d)	<u>0.0000</u>	<u>0.7977</u>	<u>0.7977</u>	<u>0.7838</u>	<u>0.6511</u>
Total	\$ 0.7774	\$ 0.7977	\$ 0.7977	\$ 0.7838	\$ 0.6511

Combined District and Defined Area No. 1      \$ 1.4000      \$ 1.4000      \$ 1.4000      \$ 1.4000      \$ 1.2500

- (a) Such tax is levied by the District upon all taxable property located within the District, including Defined Area No. 1, for payment of debt service on the District's Outstanding Bonds and any additional bonds that the District may hereinafter issue for the System. The proceeds from this tax may not be used for payment of debt service on the Bonds.
- (b) Such tax is levied by the District upon all taxable property located within the District, including Defined Area No. 1, for payment of expenditures for maintenance and operations in the District.
- (c) Such tax is levied by the District upon all taxable property located within Defined Area No. 1 for payment of debt service on the Bonds and any additional bonds that the District may hereinafter issue to serve land within Defined Area No. 1. The proceeds from the tax may not be used for payment of debt service on the District's Outstanding Bonds.
- (d) Such tax is levied by the District upon all taxable property located within Defined Area No. 1 for payment of expenditures for maintenance and operations in Defined Area No. 1.

## **Defined Area No. 1 Tax Rate Limitations**

Debt Service:                                      Unlimited (no legal limit as to rate or amount).  
Maintenance and Operations:                Unlimited (no legal limit as to rate or amount).  
See "THE DISTRICT—Defined Area No. 1."

## **Defined Area No. 1 Debt Service Tax**

The Board covenants in the Bond Order to levy and assess, for each year that all or any part of the Bonds remain outstanding and unpaid, a tax adequate to provide funds to pay the principal of and interest on the Bonds. The District levied a debt service tax in Defined Area No. 1 for 2024 at the rate of \$0.7774 per \$100 of assessed valuation. See "—Tax Rate Distribution" above.

## **Defined Area No. 1 Maintenance and Operations Tax**

The Board of Directors of the District has the statutory authority to levy and collect an annual ad valorem tax for maintenance of the Defined Area No. 1's improvements, if such maintenance tax is authorized by the District's voters. At an election held May 6, 2017, the Board was authorized to levy such a maintenance tax in an unlimited amount in accordance with the constitution and laws of the State of Texas. Such tax is in addition to taxes which the District is authorized to levy for paying principal of and interest on the Bonds, Defined Area No. 1 bonds, the maintenance tax levied on all property within the District and any additional tax bonds which may be issued in the future. See "—Tax Rate Distribution" above and "DEFINED AREA NO. 1."

## **District Tax Rate Limitations**

Debt Service:                                      Unlimited (no legal limit as to rate or amount).  
Maintenance and Operations:                Not to exceed \$1.00 per \$100 of assessed valuation.

### **District Debt Service Tax**

The Board covenants in the Bond Order to levy and assess, for each year that all or any part of the District’s Outstanding Bonds remain outstanding and unpaid, a tax adequate to provide funds to pay the principal of and interest on the District’s Outstanding Bonds. The District levied a debt service tax for 2024 at the rate of \$0.315 per \$100 of assessed valuation. This debt service tax is levied against all taxable property located within the District, including Defined Area No. 1. See “—Tax Rate Distribution” herein.

### **District Maintenance and Operations Tax**

The Board of Directors of the District has the statutory authority to levy and collect an annual ad valorem tax for maintenance of the District’s improvements, if such maintenance tax is authorized by the District’s voters. At an election held May 2, 1998, the Board was authorized to levy such a maintenance tax in an amount not to exceed \$1.00 per \$100 of assessed valuation and in accordance with the constitution and laws of the State of Texas. Such tax is in addition to taxes which the District is authorized to levy for paying principal of and interest on the District’s Outstanding Bonds and any additional tax bonds which may be issued in the future. The District levied a maintenance tax for 2024 at the rate of \$0.3076 per \$100 of assessed valuation. This maintenance tax is levied against all taxable property in the District, including Defined Area No. 1. See “—Tax Rate Distribution” herein.

### **Tax Exemptions**

As discussed in the section titled “TAX PROCEDURES” herein, certain property in the District may be exempt from taxation by the District. The District does not exempt any percentage of the market value of any residential homesteads from taxation. For 2024, the District has adopted a \$37,500 exemption for persons who are 65 or older and/or disabled.

### **Additional Penalties**

The District has contracted with Smith, Murdaugh, Little & Bonham, L.L.P. for collection of delinquent taxes. In connection with that contract, the District established an additional penalty of twenty percent (20%) of the tax, penalty and interest to defray the costs of collection. This 20% penalty applies to taxes that either: (1) become delinquent on or after February 1 of a year, but not later than May 1 of that year, and that remain delinquent on April 1 (for personal property) and July 1 (for real property) of the year in which they become delinquent or (2) become delinquent on or after June 1, pursuant to the Texas Tax Code.

### **Principal Taxpayers**

The following list of principal taxpayers was provided by the District’s Tax Assessor/Collector based upon the certified portion (\$34,706,412) of the 2024 Taxable Assessed Valuation of \$36,305,917 which reflects ownership at January 1, 2024. Accurate principal taxpayer lists related to the uncertified portion (\$1,599,505) of the 2024 Taxable Assessed Valuation and Estimated Taxable Assessed Valuation as of July 1, 2024 of \$42,763,009 are not available as of the date hereof.

<u>Taxpayer</u>	<u>Type of Property</u>	<u>2024 Certified Taxable Assessed Valuation</u>	<u>% of 2024 Certified Taxable Assessed Valuation</u>
Newport Pointe Ltd. (a)	Land & Improvements	\$ 2,052,118	5.91%
Individual	Land & Improvements	353,431	1.02%
Individual	Land & Improvements	341,838	0.98%
Individual	Land & Improvements	340,501	0.98%
Individual	Land & Improvements	339,953	0.98%
Individual	Land & Improvements	335,742	0.97%
Individual	Land & Improvements	335,082	0.97%
Individual	Land & Improvements	334,614	0.96%
Individual	Land & Improvements	334,576	0.96%
Individual	Land & Improvements	334,455	0.96%
Total		\$ 5,102,310	14.70%

(a) See “THE DEVELOPER.”

**Summary of Assessed Valuation**

The District's certified value as of January 1 of each year is used by the District in establishing its tax rate for the same year. See “TAXING PROCEDURES—Levy and Collection of Taxes.” The following represents the type of property comprising Defined Area No. 1’s tax roll for the years 2020 through 2024. Accurate breakdowns of the uncertified portion of the 2024 Taxable Assessed Valuation and the Estimated Assessed Valuation as of July 1, 2024 of \$42,763,009 are not available as of the date hereof.

	<u>2024</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Land	\$ 8,398,510	\$ 5,199,085	\$ 3,192,232	\$ 2,586,450	\$ 2,586,450
Improvements	28,483,484	-	-	-	-
Personal Property	58,500	278	-	-	-
Exemptions	<u>(2,234,082)</u>	<u>(1,238,803)</u>	-	-	-
Certified	\$ 34,706,412	\$ 3,962,583	\$ 3,194,254	\$ 2,588,471	\$ 2,588,470
Uncertified	<u>1,599,505</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total	<u>\$ 36,305,917</u>	<u>\$ 3,962,583</u>	<u>\$ 3,194,254</u>	<u>\$ 2,588,471</u>	<u>\$ 2,588,470</u>

**Tax Adequacy for Debt Service**

The calculations shown below assume, solely for purposes of illustration, no increase or decrease in assessed valuation over the 2024 Taxable Assessed Valuation of \$36,305,917 (\$34,706,412 of certified value plus \$1,599,505 of uncertified value), and the Estimated Taxable Assessed Valuation as of July 1, 2024 of \$42,763,009 and a debt service tax rate necessary to pay Defined Area No. 1’s average annual and maximum annual debt service requirements on the Bonds assuming tax collections of ninety percent (90%). See “RISK FACTORS—Impact on District Tax Rates.”

Average Annual Debt Service Requirement (2025-2050).....	\$226,508
\$0.70 Tax Rate on the 2024 Taxable Assessed Valuation.....	\$228,727
\$0.59 Tax Rate on Estimated Taxable Assessed Valuation as of July 1, 2024 .....	\$227,072
Maximum Annual Debt Service Requirement (2049).....	\$250,406
\$0.77 Tax Rate on the 2024 Taxable Assessed Valuation.....	\$251,600
\$0.66 Tax Rate on Estimated Taxable Assessed Valuation as of July 1, 2024 .....	\$254,012

No representations or suggestions are made that the uncertified portion of the 2024 Taxable Assessed Valuation or the Estimated Taxable Assessed Valuation as of July 1, 2024 for Defined Area No. 1 will be certified as taxable value by the Appraisal District, and no person should rely upon such amounts or their inclusion herein as assurance of their attainment. See “TAX PROCEDURES.”

**TAX PROCEDURES**

**Authority to Levy Taxes**

The Board is authorized to levy an annual ad valorem tax, without legal limitation as to rate or amount, on all taxable property within Defined Area No. 1 in an amount sufficient to pay the principal of and interest on the Bonds and any additional bonds which the District may hereinafter issue payable from taxes levied by the District upon property located only within Defined Area No. 1 (see “RISK FACTORS—Future Debt”) and to pay the expenses of assessing and collecting such taxes. The District agrees in the Bond Order to levy such a tax from year to year as described more fully herein under “THE BONDS—Source of Payment.”

The Board is further authorized to levy a separate ad valorem tax, without legal limitation as to rate or amount, on all taxable property within the District, including Defined Area No. 1, in a sufficient amount to pay the principal of and interest on the District’s Outstanding Bonds and any additional bonds that the District may hereafter issue for the System as well as to pay the expenses of assessing and collecting such taxes. The proceeds from such taxes levied by the District for payment of debt service on District’s Outstanding Bonds are not available for payment of debt service on the Bonds. Under Texas law, the Board may also levy and collect an annual ad valorem tax for the operation and maintenance of the District. See “TAX DATA—Defined Area No. 1 Debt Service Tax,” “—Defined Area No. 1 Maintenance and Operations Tax,” “—District Debt Service Tax” and “—District Maintenance and Operations Tax.”

### **Tax Code and County-Wide Appraisal District**

The Texas Tax Code (the “Tax Code”) specifies the taxing procedures of all political subdivisions of the State of Texas, including the District. Provisions of the Tax Code are complex and are not fully summarized here.

The Tax Code requires, among other matters, county-wide appraisal and equalization of taxable property values and establishes in each county of the State of Texas an appraisal district with the responsibility for recording and appraising property for all taxing units within a county and an appraisal review board with responsibility for reviewing and equalizing the values established by the appraisal district. The Harris Central Appraisal District has the responsibility for appraising property for all taxing units within Harris County, including the District. Such appraisal values are subject to review and change by the Harris County Appraisal Review Board (the “Appraisal Review Board”).

### **Property Subject to Taxation by the District**

Except for certain exemptions provided by Texas law, all real property, tangible personal property held or used for the production of income, mobile homes and certain categories of intangible personal property with a tax situs in the District are subject to taxation by the District. Principal categories of exempt property include, but are not limited to: property owned by the State of Texas or its political subdivisions if the property is used for public purposes; property exempt from ad valorem taxation by federal law; certain household goods, family supplies, and personal effects; certain goods, wares and merchandise in transit; farm products owned by the producer; certain property of charitable organizations, youth development associations, religious organizations, and qualified schools; designated historical sites; and most individually owned automobiles. In addition, the District may by its own action exempt residential homesteads of persons sixty-five (65) years or older and of certain disabled persons to the extent deemed advisable by the Board. For the 2024 tax year, the District has adopted a residential homestead exemption in the amount of \$37,500 for persons age 65 and older and disabled persons. Additionally, the District must grant exemptions to disabled veterans or certain surviving dependents of disabled veterans, if requested, of between \$5,000 and \$12,000 depending on the disability rating of the veteran. Subject to certain conditions, the surviving spouse of a disabled veteran who is entitled to an exemption for the full value of the veteran's residence homestead is also entitled to an exemption from taxation of the total appraised value of the same property to which the disabled veteran's exemption applied. See “TAX DATA.”

Partially disabled veterans or certain surviving spouses of partially disabled veterans are entitled to an exemption from taxation of a percentage of the appraised value of their residence homestead in an amount equal to the partially disabled veteran's disability rating if the residence homestead was donated by a charitable organization. The surviving spouse of a member of the armed forces who was killed or fatally injured in the line of duty is, subject to certain conditions, entitled to an exemption of the total appraised value of the surviving spouse's residence homestead, and subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse. The surviving spouse of a first responder who was killed or fatally injured in the line of duty is, subject to certain conditions, also entitled to an exemption of the total appraised value of the surviving spouse's residence homestead, and, subject to certain conditions, an exemption up to the same amount may be transferred to a subsequent residence homestead of the surviving spouse.

*Residential Homestead Exemptions:* The Tax Code authorizes the governing body of each political subdivision in the State of Texas to exempt up to twenty percent (20%) (not less than \$5,000) of the appraised value of residential homesteads from ad valorem taxation. Where ad valorem taxes have previously been pledged for the payment of debt, the governing body of a political subdivision may continue to levy and collect taxes against the exempt value of the homesteads until the debt is discharged, if the cessation of the levy would impair the obligations of the contract by which the debt was created. The District has never granted such a general homestead exemption. See “TAX DATA.”

*Freeport Goods and Goods-in-Transit Exemptions:* A “Freeport Exemption” applies to goods, wares, ores, and merchandise other than oil, gas, and petroleum products (defined as liquid and gaseous materials immediately derived from refining petroleum or natural gas), and to aircraft or repair parts used by a certified air carrier acquired in or imported into Texas which are destined to be forwarded outside of Texas and which are detained in Texas for assembling, storing, manufacturing, processing or fabricating for less than 175 days. Although certain taxing units may take official action to tax such property in transit and negate such exemption, the District does not have such an option. A “Goods-in-Transit” Exemption is applicable to the same categories of tangible personal property which are covered by the Freeport Exemption, if, for tax year 2011 and prior applicable years, such property is acquired in or imported into Texas for assembling, storing, manufacturing, processing, or fabricating purposes and is subsequently forwarded to another location inside or outside of Texas not later than 175 days after acquisition or importation, and the location where said property is detained during that period is not directly or indirectly owned or under the control of the property owner. For tax year 2012 and subsequent years, such Goods-in-Transit Exemption includes tangible personal property acquired in or imported into Texas for storage purposes only if such property is stored under a contract of bailment by a public warehouse operator at one or more public warehouse facilities in Texas that are not in any way owned or controlled by the owner of such property for the account of the person who acquired or imported such property. A property owner who receives the Goods-in-Transit Exemption is not eligible to receive the Freeport Exemption for the same property. Local taxing units such as the District may, by official action and after public hearing, tax goods-in-transit personal property. A taxing unit must exercise its option to tax goods-in-transit property before January 1 of the first tax year in which it proposes to tax the property at the time and in the manner prescribed by applicable law. The District has taken official action to allow taxation of all such goods-in-transit personal property for all prior and subsequent years.

### **Tax Abatement**

Harris County or the City of Houston may designate all or part of the area within the District as a reinvestment zone. Thereafter, Harris County, the District, and the City of Houston (after annexation of the District), under certain circumstances, may enter into tax abatement agreements with owners of property within the zone. Prior to entering into a tax abatement agreement, each entity must adopt guidelines and criteria for establishing tax abatement, which each entity will follow in granting tax abatement to owners of property. The tax abatement agreements may exempt from ad valorem taxation by each of the applicable taxing jurisdictions, including the District, for a period of up to ten (10) years, all or any part of any increase in the assessed valuation of property covered by the agreement over its assessed valuation in the year in which the agreement is executed, on the condition that the property owner make specified improvements or repairs to the property in conformity with the terms of the tax abatement. Each taxing jurisdiction has discretion to determine terms for its tax abatement agreements without regard to the terms approved by the other taxing jurisdictions.

### **Valuation of Property for Taxation**

Generally, property in the District must be appraised by the Appraisal District at market value as of January 1 of each year. Once an appraisal roll is prepared and finally approved by the Appraisal Review Board, it is used by the District in establishing its tax rolls and tax rate. Generally, assessments under the Tax Code are to be based on one hundred percent (100%) of market value, as such is defined in the Tax Code. In determining market value, either the replacement cost or the income or the market data method of valuation may be used, whichever is appropriate. Nevertheless, certain land may be appraised at less than market value under the Tax Code. Increases in the appraised value of residence homesteads are limited by the Texas Constitution to 10 percent annually regardless of the market value of the property.

The Tax Code permits land designated for agricultural or timber land use to be appraised at its value based on the land's capacity to produce agricultural products or, with respect to timber land, the value based upon accepted income capitalization methods. The Tax Code permits under certain circumstances that residential real property inventory held by a person in the trade or business be valued at the price all of such property would bring if sold as a unit to a purchaser who would continue the business. Landowners wishing to avail themselves of the agricultural, timber land or residential real property appraisal must apply for such appraisal, and the Appraisal District is required to act on each claimant's application individually. If a claimant receives the agricultural or timber land appraisal on land and later changes the land use or sells the land to an unqualified owner, an additional tax is imposed on the land equal to the difference between the taxes imposed on the land for each of the three years preceding the year in which the change of use occurs that the land was appraised as agricultural or timber land and the tax that would have been imposed had the land been taxed on the basis on market value in each of those years. Provisions of the Tax Code are complex and are not fully summarized here.

The Tax Code requires the Appraisal District to implement a plan for periodic reappraisal of property to update appraisal values. The plan must provide for appraisal of all real property in the Appraisal District at least once every three (3) years. It is not known what frequency of reappraisal will be utilized by the Appraisal District or whether reappraisals will be conducted on a zone or county-wide basis. The District, however, at its expense has the right to obtain from the Appraisal District a current estimate of appraised values within the District or an estimate of any new property or improvements within the District. While such current estimate of appraised values may serve to indicate the rate and extent of growth of taxable values within the District, it cannot be used for establishing a tax rate within the District until such time as the Appraisal District chooses formally to include such values on its appraisal roll.

The Property Tax Code provides for a temporary exemption from ad valorem taxation of a portion of the appraised value of certain property that is at least 15% damaged by a disaster and located within an area declared to be a disaster area by the governor of the State of Texas. This temporary exemption is automatic if the disaster is declared prior to a taxing unit, such as the District, adopting its tax rate for the tax year. A taxing unit, such as the District, may authorize the exemption at its discretion if the disaster is declared after the taxing unit has adopted its tax rate for the tax year. The amount of the exemption is based on the percentage of damage and is prorated based on the date of the disaster. Upon receipt of an application submitted within the eligible timeframe by a person who qualifies for a temporary exemption under the Property Tax Code, the Appraisal District is required to complete a damage assessment and assign a damage assessment rating to determine the amount of the exemption. The temporary exemption amounts established in the Property Tax Code range from 15% for property less than 30% damaged to 100% for property that is a total loss. Any such temporary exemption granted for disaster-damaged property expires on January 1 of the first year in which the property is reappraised.

### **District and Taxpayer Remedies**

Under certain circumstances taxpayers and taxing units (such as the District) may appeal the orders of the Appraisal Review Board by filing a timely petition for review in State district court. In such event, the value of the property in question will be determined by the court or by a jury if requested by any party. Additionally, taxing units may bring suit against the Appraisal District to compel compliance with the Tax Code. The Tax Code also establishes a procedure for notice to property owners of reappraisals reflecting increased property value, appraisals which are higher than renditions, and appraisals of property not previously on an appraisal roll.

### **Levy and Collection of Taxes**

The District is responsible for the levy and collection of its taxes unless it elects to transfer such functions to another governmental entity. The rate of taxation is set by the Board of Directors, after the legally required notice has been given to owners of property within the District, based upon: a) the valuation of property within the District as of the preceding January 1, and b) the amount required to be raised for debt service, maintenance purposes, and authorized contractual obligations. Taxes are due October 1, or when billed, whichever comes later, and become delinquent if not paid before February 1 of the year following the year in which imposed. A delinquent tax incurs a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent, plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent. If the tax is not paid by July 1 of the year in which it becomes delinquent, the tax incurs a total penalty of twelve percent (12%) regardless of the number of months the tax has been delinquent and incurs an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. A delinquent tax on personal property incurs an additional penalty, in an amount established by the District and a delinquent tax attorney, 60 days after the date the taxes become delinquent. The delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month it remains unpaid. The Property Tax Code makes provisions for the split payment of taxes, discounts for early payment and the postponement of the delinquency date of taxes under certain circumstances which, at the option of the District, which may be rejected by taxing units. The District's tax collector is required to enter into an installment payment agreement with any person who is delinquent on the payment of tax on a residence homestead for payment of tax, penalties and interest, if the person requests an installment agreement in writing and has not entered into an installment agreement with the collector in the preceding 24 months. The installment agreement must provide for payments to be made in equal monthly installments and must extend for a period of at least 12 months and no more than 36 months. Additionally, the owner of a residential homestead property who is (i) sixty-five (65) years of age or older, (ii) disabled, or (iii) a disabled veteran, is entitled by law to pay current taxes on a residential homestead in installments without penalty or to defer the payment of taxes during the time of ownership. In the instance of tax deferral, a tax lien remains on the property and interest continue to accrue during the period of deferral.

Certain qualified taxpayers, including owners of residential homesteads, located within a natural disaster area and whose property has been damaged as a direct result of the disaster, are entitled to enter into a tax payment installment agreement with a taxing jurisdiction such as the District if the taxpayer pays at least one-fourth of the tax bill imposed on the property by the delinquency date. The remaining taxes may be paid without penalty or interest in three equal installments within six months of the delinquency date.



## **Rollback of Operation and Maintenance Tax Rate**

Chapter 49 of the Texas Water Code, as amended, classifies municipal utility districts differently based on their current operation and maintenance tax rate or on the percentage of projected build-out that a district has completed. Districts that have adopted an operation and maintenance tax rate for the current year that is 2.5 cents or less per \$100 of taxable value are classified herein as “Special Taxing Units.” Districts that have financed, completed, and issued bonds to pay for all land, improvements and facilities necessary to serve at least 95% of the projected build-out of the district are classified as “Developed Districts.” Districts that do not meet either of the classifications previously discussed can be classified herein as “Developing Districts.” The impact each classification has on the ability of a district to increase its maintenance and operations tax rate is described for each classification below. Debt service and contract tax rates cannot be reduced by an election held within any of the districts described below.

*Special Taxing Units:* Special Taxing Units that adopt a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Special Taxing Unit is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

*Developed Districts:* Developed Districts that adopt a total tax rate that would impose more than 1.035 times the amount of the total tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, plus any unused increment rates, as calculated and described in Section 26.013 of the Tax Code, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Developed District is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.035 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions, plus any unused increment rates. In addition, if any part of a Developed District lies within an area declared for disaster by the Governor of Texas or President of the United States, alternative procedures and rate limitations may apply for a temporary period. If a district qualifies as both a Special Taxing Unit and a Developed District, the district will be subject to the operation and maintenance tax threshold applicable to Special Taxing Units.

*Developing Districts:* Districts that do not meet the classification of a Special Taxing Unit or a Developed District can be classified as Developing Districts. The qualified voters of these districts, upon the Developing District's adoption of a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are authorized to petition for an election to reduce the operation and maintenance tax rate. If an election is called and passes, the total tax rate for Developing Districts is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions.

*The District:* A determination as to a district's status as a Special Taxing Unit, Developed District or Developing District will be made by the Board of Directors on an annual basis. For 2024, the District has been designated as a “Developing District.” The District cannot give any assurances as to what its classification will be at any point in time or whether the District's future tax rates will result in a total tax rate that will reclassify the District into a new classification and new election calculation.

## **District's Rights in the Event of Tax Delinquencies**

Taxes levied by the District are a personal obligation of the owner of the property as of January 1 of the year for which the tax is imposed. On January 1 of each year, a tax lien attaches to property to secure the payment of all state and local taxes, penalties, and interest ultimately imposed for the year on the property. The lien exists in favor of the State of Texas and each local taxing unit, including the District, having power to tax the property. The District's tax lien is on a parity with tax liens of such other taxing units. See “ESTIMATED OVERLAPPING DEBT AND TAX RATES STATEMENT.” A tax lien on real property takes priority over the claim of most creditors and other holders of liens on the property encumbered by the tax lien, whether or not the debt or lien existed before the attachment of the tax lien; however, whether a lien of the United States is on a parity with or takes priority over a tax lien of the District is determined by applicable federal law. Personal property under certain circumstances is subject to seizure and sale for the payment of delinquent taxes, penalty, and interest.

At any time after taxes on property become delinquent, among other collection methods available, the District may file suit to foreclose the lien securing payment of the tax, to enforce personal liability for the tax, or both, subject to the restrictions on residential homesteads described above under “Levy and Collection of Taxes”. In filing a suit to foreclose a tax lien on real property, the District must join other taxing units that have claims for delinquent taxes against all or part of the same property. Collection of delinquent taxes may be adversely affected by the cost of suit and sale, by the amount of taxes owed to other taxing units, by the effects of market conditions on the foreclosure sale price, by taxpayer redemption rights (a taxpayer may redeem property within six (6) months for commercial property and two (2) years for residential and all other types of property after the purchaser's deed issued at the foreclosure sale is filed in the county records) or by bankruptcy proceedings which restrict the collection of taxpayer debts. The District’s ability to foreclose its tax lien or collect penalties or interest on delinquent taxes may be limited on property owned by a financial institution which is under receivership by the Federal Deposit Insurance Corporation pursuant to the Federal Deposit Insurance Act, 12 U.S.C. 1825, as amended. See “RISK FACTORS.”

## **LEGAL MATTERS**

### **Legal Opinion**

The District will furnish the Initial Purchaser a transcript of certain certified proceedings incident to the authorization and issuance of the Bonds. Such transcript will include a certified copy of the approving opinion of the Attorney General of Texas, as recorded in the Bond Register of the Comptroller of Public Accounts of the State of Texas, to the effect that the Bonds are valid and binding obligations of the District, payable from the proceeds of an annual ad valorem tax levied without limitation as to rate or amount upon all taxable property within Defined Area No. 1 within the District. The District also will furnish the approving legal opinion of Smith, Murdaugh, Little & Bonham, L.L.P., Houston, Texas, Bond Counsel to the District (“Bond Counsel”), to the effect that, based upon an examination of such transcript, the Bonds are valid and binding obligations of the District under the Constitution and laws of the State of Texas, except to the extent that the enforceability thereof may be affected by bankruptcy, insolvency, reorganization, moratorium or other similar laws of general application affecting rights of creditors of political subdivisions such as the District. The legal opinion of Bond Counsel will further state that the Bonds, including principal of and interest thereon, are payable from ad valorem taxes, without legal limitation as to rate or amount, upon all taxable property located within Defined Area No. 1 within the District and that interest on the Bonds is excludable from gross income for federal income tax purposes under existing laws subject to the matters described under the caption which follows entitled “TAX MATTERS.”

### **Legal Review**

In its capacity as Bond Counsel, Smith, Murdaugh, Little & Bonham, L.L.P. has reviewed the information appearing in this Official Statement under the captions “THE BONDS” (except for “Book-Entry-Only System”), “TAX PROCEDURES,” “THE DISTRICT—General,” “LEGAL MATTERS,” “TAX MATTERS,” and “CONTINUING DISCLOSURE OF INFORMATION” to determine whether such information fairly summarizes the procedures, law and documents referred to therein. Bond Counsel has not, however, independently verified any of the other factual information contained in this Official Statement nor has it conducted an investigation of the affairs of the District for the purpose of passing upon the accuracy or completeness of this Official Statement. No person is entitled to rely upon Bond Counsel's limited participation as an assumption of responsibility for or an expression of opinion of any kind with regard to the accuracy or completeness of any of the information contained herein. The legal fees to be paid Bond Counsel for services rendered in connection with the issuance of the Bonds are based on a percentage of the Bonds actually issued, sold and delivered, and therefore, such fees are contingent on the sale and delivery of the Bonds. Bond Counsel acts as general counsel for the District on matters other than the issuance of bonds.

### **No-Litigation Certificate**

The District will furnish to the Initial Purchaser a certificate, dated as of the Date of Delivery of the Bonds, to the effect that no litigation of any nature has been filed or is then pending or threatened, either in state or federal courts, contesting or attacking the Bonds; restraining or enjoining the issuance, execution or delivery of the Bonds; affecting the provisions made for the payment of or security for the Bonds; in any manner questioning the authority or proceedings for the issuance, execution, or delivery of the Bonds; or affecting the validity of the Bonds.

### **No Material Adverse Change**

The obligations of the Initial Purchaser to take and pay for the Bonds, and of the District to deliver the Bonds, are subject to the condition that, up to the time of delivery of and receipt of payment for the Bonds, there shall have been no material adverse change in the condition (financial or otherwise) of the District from that set forth or contemplated in the Official Statement, as it may have been supplemented or amended, through the date of sale.

## TAX MATTERS

### Opinion

On the date of initial delivery of the Bonds, Bond Counsel will render its opinion that, in accordance with statutes, regulations, published rulings and court decisions existing on the date thereof (“Existing Law”), (1) interest on the Bonds for federal income tax purposes will be excludable from the “gross income” of the holders thereof, and (2) the Bonds will not be treated as “specified private activity bonds” the interest on which would be included as an alternative minimum tax preference item under section 57(a)(5) of the Internal Revenue Code of 1986 (the “Code”). Interest on the Bonds may be excludable in certain corporations “adjusted financial statement income” determined under Section 56A of the Code to calculate the alternative minimum tax imposed by Section 55 of the Code. Except as stated above, Bond Counsel will express no opinion as to any other federal, state or local tax consequences of the purchase, ownership or disposition of the Bonds.

In rendering its opinion, Bond Counsel will rely upon (a) certain information and representations of the District, including information and representations contained in the District's federal tax certificate, and (b) covenants of the District contained in the Bond documents relating to certain matters, including arbitrage and the use of the proceeds of the Bonds and the property financed or refinanced therewith. Failure by the District to observe the aforementioned representations or covenants could cause the interest on the Bonds to become taxable retroactively to the date of issuance.

The Code and the regulations promulgated thereunder contain a number of requirements that must be satisfied subsequent to the issuance of the Bonds in order for interest on the Bonds to be, and to remain, excludable from gross income for federal income tax purposes. Failure to comply with such requirements may cause interest on the Bonds to be included in gross income retroactively to the date of issuance of the Bonds. The opinion of Bond Counsel is conditioned on compliance by the District with such requirements, and Bond Counsel has not been retained to monitor compliance with these requirements subsequent to the issuance of the Bonds.

Bond Counsel's opinion represents its legal judgment based upon its review of Existing Law and the reliance on the aforementioned information, representations and covenants. Bond Counsel's opinion is not a guarantee of a result. Existing Law is subject to change by the Congress and to subsequent judicial and administrative interpretation by the courts and the Department of the Treasury. There can be no assurance that Existing Law or the interpretation thereof will not be changed in a manner which would adversely affect the tax treatment of the purchase, ownership or disposition of the Bonds.

A ruling was not sought from the Internal Revenue Service by the District with respect to the Bonds or the property financed or refinanced with proceeds of the Bonds. No assurances can be given as to whether the Internal Revenue Service will commence an audit of the Bonds, or as to whether the Internal Revenue Service would agree with the opinion of Bond Counsel. If an Internal Revenue Service audit is commenced, under current procedures the Internal Revenue Service is likely to treat the District as the taxpayer and the Bondholders may have no right to participate in such procedure. No additional interest will be paid upon any determination of taxability.

### **Federal Income Tax Accounting Treatment of Original Discount Bonds**

The initial public offering price to be paid for one or more maturities of the Bonds is less than the principal amount thereof, or one or more periods for the payment of interest on the bonds may not be equal to the accrual period or be in excess of one year (the “Original Issue Discount Bonds”). In such event, the difference between (i) the “stated redemption price at maturity” of each Original Issue Discount Bond, and (ii) the initial offering price to the public of such Original Issue Discount Bond would constitute original issue discount. The “stated redemption price at maturity” means the sum of all payments to be made on the bonds less the amount of all periodic interest payments. Periodic interest payments are payments which are made during equal accrual periods (or during any unequal period if it is the initial or final period) and which are made during accrual periods which do not exceed one year.

Under existing law, any owner who has purchased such Original Issue Discount Bond in the initial public offering is entitled to exclude from gross income (as defined in section 61 of the Code) an amount of income with respect to such Original Issue Discount Bond equal to that portion of the amount of such original issue discount allocable to the accrual period. For a discussion of certain collateral federal tax consequences, see discussion set forth below.

In the event of the redemption, sale or other taxable disposition of such Original Issue Discount Bond prior to stated maturity, however, the amount realized by such owner in excess of the basis of such Original Issue Discount Bond in the hands of such owner (adjusted upward by the portion of the original issue discount allocable to the period for which such Original Issue Discount Bond was held by such initial owner) is includable in gross income.

Under existing law, the original issue discount on each Original Issue Discount Bond is accrued daily to the stated maturity thereof (in amounts calculated as described below for each six-month period ending on the date before the semiannual anniversary dates of the date of the Bonds and ratably within each such six-month period) and the accrued amount is added to an initial owner's basis for such Original Issue Discount Bond for purposes of determining the amount of gain or loss recognized by such owner upon the redemption, sale or other disposition thereof. The amount to be added to basis for each accrual period is equal to (a) the sum of the issue price and the amount of original issue discount accrued in prior periods multiplied by the yield to stated maturity (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period) less (b) the amounts payable as current interest during such accrual period on such Original Issue Discount Bond.

The federal income tax consequences of the purchase, ownership, redemption, sale or other disposition of Original Issue Discount Bonds which are not purchased in the initial offering at the initial offering price may be determined according to rules which differ from those described above. All owners of Original Issue Discount Bonds should consult their own tax advisors with respect to the determination for federal, state and local income tax purposes of the treatment of interest accrued upon redemption, sale or other disposition of such Original Issue Discount Bonds and with respect to the federal, state, local and foreign tax consequences of the purchase, ownership, redemption, sale or other disposition of such Original Issue Discount Bonds.

### **Federal Income Tax Accounting Treatment of Premium Bonds**

The initial public offering price of certain Bonds (the "Premium Bonds") is greater than the amount payable on such Bonds at maturity. An amount equal to the difference between the initial public offering price of a Premium Bond (assuming that a substantial amount of the Premium Bonds of that maturity are sold to the public at such price) and the amount payable at maturity constitutes premium to the initial purchaser of such Premium Bonds. The basis for federal income tax purposes of a Premium Bond in the hands of such initial purchaser must be reduced each year by the amortizable bond premium. Such reduction in basis will increase the amount of any gain (or decrease the amount of any loss) to be recognized for federal income tax purposes upon the sale or other taxable disposition of a Premium Bond. The amount of premium which is amortizable each year by an initial purchaser is determined by using such purchaser's yield to maturity. Purchasers of the Premium Bonds should consult with their own tax advisors with respect to the determination of amortizable bond premium with respect to the Premium Bonds for federal income tax purposes and with respect to the state and local tax consequences of owning Premium Bonds.

### **Collateral Federal Income Tax Consequences**

The following discussion is a summary of certain collateral federal income tax consequences resulting from the purchase, ownership or disposition of the Bonds. This discussion is based on existing statutes, regulations, published rulings and court decisions, all of which are subject to change or modification, retroactively.

The following discussion is applicable to investors, other than those who are subject to special provisions of the Code, such as financial institutions, property and casualty insurance companies, life insurance companies, individual recipients of Social Security or Railroad Retirement benefits, individuals allowed an earned income credit, certain S corporations with accumulated earnings and profits and excess passive investment income, taxpayers qualifying for the health-insurance premium assistance credit, foreign corporations subject to the branch profits tax and taxpayers who may be deemed to have incurred or continued indebtedness to purchase tax-exempt obligations.

THE DISCUSSION CONTAINED HEREIN MAY NOT BE EXHAUSTIVE. INVESTORS, INCLUDING THOSE WHO ARE SUBJECT TO SPECIAL PROVISIONS OF THE CODE, SHOULD CONSULT THEIR OWN TAX ADVISORS AS TO THE TAX TREATMENT WHICH MAY BE ANTICIPATED TO RESULT FROM THE PURCHASE, OWNERSHIP AND DISPOSITION OF TAX-EXEMPT OBLIGATIONS BEFORE DETERMINING WHETHER TO PURCHASE THE BONDS.

Under section 6012 of the Code, holders of tax-exempt obligations, such as the Bonds, may be required to disclose interest received or accrued during each taxable year on their returns of federal income taxation.

Section 1276 of the Code provides for ordinary income tax treatment of gain recognized upon the disposition of a tax-exempt obligation, such as the Bonds, if such obligation was acquired at a "market discount" and if the fixed maturity of such obligation is equal to, or exceeds, one year from the date of issue. Such treatment applies to "market discount bonds" to the extent such gain does not exceed the accrued market discount of such bonds; although for this purpose, a de minimis amount of market discount is ignored. A "market discount bond" is one which is acquired by the holder at a purchase price which is less than the stated redemption price at maturity or, in the case of a bond issued at an original issue discount, the "revised issue price" (i.e., the issue price plus accrued original issue discount). The "accrued market discount" is the amount which bears the same ratio to the market discount as the number of days during which the holder holds the obligation bears to the number of days between the acquisition date and the final maturity date.

### **Future and Proposed Legislation**

Tax legislation, administrative actions taken by tax authorities, or court decisions, whether at the Federal or state level, may adversely affect the tax-exempt status of interest on the Bonds under Federal or state law and could affect the market price or marketability of the Bonds. Any such proposal could limit the value of certain deductions and exclusions, including the exclusion for tax-exempt interest. The likelihood of any such proposal being enacted cannot be predicted. Prospective purchasers of the Bonds should consult their own tax advisors regarding the foregoing matters.

### **State, Local and Foreign Taxes**

Investors should consult their own tax advisors concerning the tax implications of the purchase, ownership or disposition of the Bonds under applicable state or local laws. Foreign investors should also consult their own tax advisors regarding the tax consequences unique to investors who are not United States persons.

### **Qualified Tax-Exempt Obligations for Financial Institutions**

Section 265(a) of the Code provides, in pertinent part, that interest paid or incurred by a taxpayer, including a “financial institution,” on indebtedness incurred or continued to purchase or carry tax-exempt obligations is not deductible in determining the taxpayer’s taxable income. Section 265(b) of the Code provides an exception to the disallowance of such deduction for any interest expense paid or incurred on indebtedness of a taxpayer that is a “financial institution” allocable to tax-exempt obligations, other than “private activity bonds,” that are designated by a “qualified small issuer” as “qualified tax- exempt obligations.” A “qualified small issuer” is any governmental issuer (together with any “on-behalf of” and “subordinate” issuers) who issues no more than \$10,000,000 of tax-exempt obligations during the calendar year. Section 265(b)(5) of the Code defines the term “financial institution” as any “bank” described in Section 585(a)(2) of the Code, or any person accepting deposits from the public in the ordinary course of such person’s trade or business that is subject to federal or state supervision as a financial institution. Notwithstanding the exception to the disallowance of the deduction of interest on indebtedness related to “qualified tax-exempt obligations” provided by Section 265(b) of the Code, Section 291 of the Code provides that the allowable deduction to a “bank,” as defined in Section 585(a)(2) of the Code, for interest on indebtedness incurred or continued to purchase “qualified tax-exempt obligations” shall be reduced by twenty percent (20%) as a “financial institution preference item.”

The District has designated the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b) of the Code. In furtherance of that designation, the District will covenant to take such action that would assure, or to refrain from such action that would adversely affect the treatment of the Bonds as “qualified tax-exempt obligations.”

### **Information Reporting and Backup Withholding**

Subject to certain exceptions, information reports describing interest income, including original issue discount, with respect to the Bonds will be sent to each registered holder and to the Internal Revenue Service. Payments of interest and principal may be subject to backup withholding under section 3406 of the Code if a recipient of the payments fails to furnish to the payor such owner’s social security number or other taxpayer identification number (“TIN”), furnishes an incorrect TIN, or otherwise fails to establish an exemption from the backup withholding tax. Any amounts so withheld would be allowed as a credit against the recipient’s federal income tax. Special rules apply to partnerships, estates and trusts, and in certain circumstances, and in respect of Non-U.S. Holders, certifications as to foreign status and other matters may be required to be provided by partners and beneficiaries thereof.

## **MUNICIPAL BOND RATING**

The District has not applied for an underlying investment grade rating on the Bonds nor is it expected that the District would have been successful if such application had been made.

## **SALE AND DISTRIBUTION OF THE BONDS**

### **Award of the Bonds**

After requesting competitive bids for the Bonds, the District accepted the bid resulting in the lowest net interest cost, which bid was tendered by SAMCO Capital Markets, Inc. (the “Initial Purchaser”) bearing the interest rates shown on the cover page hereof, at a price of 97.00% of the principal amount thereof, which resulted in a net effective interest rate of 4.436776% as calculated pursuant to Chapter 1204 of the Texas Government Code.

## **Prices and Marketability**

The prices and other terms with respect to the offering and sale of the Bonds may be changed at any time by the Initial Purchaser after the Bonds are released for sale, and the Bonds may be offered and sold at prices other than the initial offering prices, including sales to dealers who may sell the Bonds into investment accounts. In connection with the offering of the Bonds, the Initial Purchaser may over-allot or effect transactions that stabilize or maintain the market prices of the Bonds at levels above those that might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

The District has no control over trading of the Bonds in the secondary market. Moreover, there is no guarantee that a secondary market will be made in the Bonds. In such a secondary market, the difference between the bid and asked price of utility district bonds may be greater than the difference between the bid and asked price of bonds of comparable maturity and quality issued by more traditional municipal entities, as bonds of such entities are more generally bought, sold, or traded in the secondary market.

## **Securities Laws**

No registration statement relating to the offer and sale of the Bonds has been filed with the Securities and Exchange Commission under the Securities Act of 1933, as amended, in reliance upon the exemptions provided thereunder. The Bonds have not been registered or qualified under the Securities Act of Texas in reliance upon various exemptions contained therein; nor have the Bonds been registered or qualified under the securities laws of any other jurisdiction. The District assumes no responsibility for registration or qualification of the Bonds under the securities laws of any other jurisdiction in which the Bonds may be offered, sold or otherwise transferred. This disclaimer of responsibility for registration or qualification for sale or other disposition of the Bonds shall not be construed as an interpretation of any kind with regard to the availability of any exemption from securities registration or qualification provisions in such other jurisdiction.

# **PREPARATION OF OFFICIAL STATEMENT**

## **Sources and Compilation of Information**

The financial data and other information contained in this Official Statement has been obtained primarily from the District's records, the Engineer, the Tax Assessor/Collector, the Appraisal District and information from certain other sources. All of these sources are believed to be reliable, but no guarantee is made by the District as to the accuracy or completeness of the information derived from such sources, and its inclusion herein is not to be construed as a representation on the part of the District except as described under “—Certification of Official Statement.” Furthermore, there is no guarantee that any of the assumptions or estimates contained herein will be realized. The summaries of the agreements, reports, statutes, resolutions, engineering and other related information set forth in this Official Statement are included herein subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions, and reference is made to such documents for further information.

## **Financial Advisor**

Masterson Advisors LLC is engaged as the Financial Advisor to the District to render certain professional services, including advising the District on a plan of financing and preparing the Official Statement, including the Official Notice of Sale and the Official Bid Form for the sale of the Bonds. In its capacity as Financial Advisor, Masterson Advisors LLC has compiled and edited this Official Statement. In addition to compiling and editing, the Financial Advisor has obtained the information set forth herein under the caption indicated from the following sources:

the summaries of the Bond Order, District contracts and provisions of state and federal law contained under the captions “THE BONDS (except “Book-Entry-Only System”),” “THE DISTRICT—General,” “TAXING PROCEDURES,” “LEGAL MATTERS” and “TAX MATTERS”—Smith, Murdaugh, Little & Bonham, L.L.P.; “STATUS OF DEVELOPMENT IN THE DISTRICT” and “STATUS OF DEVELOPMENT IN DEFINED AREA NO. 1—Lockwood, Andrews & Newnam, Inc. and Si Environmental, LLC; “DEFINED AREA NO. 1”—Lockwood, Andrews & Newnam, Inc. and Si Environmental, LLC; “THE SYSTEM”—Lockwood, Andrews & Newnam, Inc. “SELECTED FINANCIAL INFORMATION,” “ESTIMATED OVERLAPPING DEBT STATEMENT” and “TAX DATA”—Harris Central Appraisal District, Assessments of the Southwest, Inc. and the Municipal Advisory Council of Texas.

The Financial Advisor has provided the following sentence for inclusion in this Official Statement. The Financial Advisor has reviewed the information in this Official Statement in accordance with, and as part of, its responsibilities to the District and, as applicable, to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Financial Advisor does not guarantee the accuracy or completeness of such information.

## **Consultants**

In approving this Official Statement, the District has relied upon the following consultants.

*Auditor:* The District's audited financial statements for the year ended December 31, 2023, were prepared by McCall Gibson Swedlund Barfoot PLLC, Certified Public Accountant. See "APPENDIX A" for a copy of the District's December 31, 2023, audited financial statements.

*Engineer:* The information contained in this Official Statement relating to engineering matters and to the description of the System and, in particular that information included in the sections entitled "THE DISTRICT," "DEFINED AREA NO. 1" and "THE SYSTEM," has been provided by Lockwood, Andrews, and Newnam, Inc., and has been included herein in reliance upon the authority of said firm as experts in the field of civil engineering.

*Appraisal District:* The information contained in this Official Statement relating to the assessed valuations has been provided by the Harris Central Appraisal District and has been included herein in reliance upon the authority of such entity to establish the taxable value of property in Harris County, including the District.

*Tax Assessor/Collector:* The information contained in this Official Statement relating to the historical breakdown of the Certified Taxable Assessed Valuations, principal taxpayers, and certain other historical data concerning tax rates and tax collections has been provided by Assessments of the Southwest, Inc., and is included herein in reliance upon the authority of such firm as an expert in assessing and collecting taxes.

*Bookkeeper:* The information related to the "unaudited" summary of the District's General Fund as it appears in "WATER AND SEWER OPERATIONS" has been provided by McLennan & Associates and is included herein in reliance upon the authority of such firm as experts in the tracking and managing the various funds of municipal utility districts.

## **Updating the Official Statement**

If, subsequent to the date of the Official Statement, the District learns, through the ordinary course of business and without undertaking any investigation or examination for such purposes, or is notified by the Initial Purchaser, of any adverse event which causes the Official Statement to be materially misleading, and unless the Initial Purchaser elects to terminate its obligation to purchase the Bonds, the District will promptly prepare and supply to the Initial Purchaser an appropriate amendment or supplement to the Official Statement satisfactory to the Initial Purchaser; provided, however, that the obligation of the District to so amend or supplement the Official Statement will terminate when the District delivers the Bonds to the Initial Purchaser, unless the Initial Purchaser notifies the District on or before such date that less than all of the Bonds have been sold to ultimate customers, in which case the District's obligations hereunder will extend for an additional period of time as required by law (but not more than 90 days after the date the District delivers the Bonds).

## **Certification of Official Statement**

The District, acting through its Board of Directors in its official capacity, hereby certifies, as of the date hereof, that the information, statements, and descriptions or any addenda, supplement and amendment thereto pertaining to the District and its affairs contained herein, to the best of its knowledge and belief, contain no untrue statement of a material fact and do not omit to state any material fact necessary to make the statements herein, in light of the circumstances under which they are made, not misleading. With respect to information included in this Official Statement other than that relating to the District, the District has no reason to believe that such information contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements herein, in the light of the circumstances under which they are made, not misleading; however, the Board has made no independent investigation as to the accuracy or completeness of the information derived from sources other than the District.

## **CONTINUING DISCLOSURE OF INFORMATION**

In the Bond Order, the District has made the following agreement for the benefit of the registered and beneficial owners of the Bonds. The District is required to observe the agreement for so long as it remains obligated to advance funds to pay the Bonds. Under the agreement, the District will be obligated to provide certain updated financial information and operating data annually, and timely notice of specified events, to the Municipal Securities Rulemaking Board (the "MSRB"). This information will be available to the public without charge through its Electronic Municipal Market Access ("EMMA") internet portal at [www.emma.msrb.org](http://www.emma.msrb.org).

## **Annual Reports**

The District will provide annually to the MSRB certain updated financial information and operating data. The information to be updated includes the quantitative financial information and operating data with respect to the District of the general type included in this Official Statement under the headings “FINANCIAL STATEMENT,” “TAX DATA (except for the subsection entitled “Tax Adequacy for Debt Service”),” “THE SYSTEM” and “WATER AND SEWER OPERATIONS” (most of which information is contained in the District’s annual audit report) and in APPENDIX A. The District will update and provide this information to the MSRB within six (6) months after the end of each fiscal year ending in or after 2024.

The District may provide updated information in full text or may incorporate by reference certain other publicly available documents, as permitted by SEC Rule 15c2-12 (the “Rule”). The updated information will include audited financial statements, if the District commissions an audit and the audit is completed by the required time. If the audit of such financial statements is not complete within such period, then the District will provide unaudited financial statements by the required time, and audited financial statements when and if such audited financial statements become available. Any such financial statements will be prepared in accordance with the accounting principles described in the Bond Order or such other accounting principles as the District may be required to employ from time to time pursuant to state law or regulation.

The District's current fiscal year end is December 31. Accordingly, it must provide updated information by June 30 in each year, unless the District changes its fiscal year. If the District changes its fiscal year, it will notify the MSRB of the change.

## **Specified Event Notices**

The District will provide timely notices of certain events to the MSRB via EMMA, but in no event will such notices be provided to the MSRB in excess of ten business days after the occurrence of an event. The District will provide notice of any of the following events with respect to the Bonds: (1) principal and interest payment delinquencies; (2) non-payment related defaults, if material; (3) unscheduled draws on debt service reserves reflecting financial difficulties; (4) unscheduled draws on credit enhancements reflecting financial difficulties; (5) substitution of credit or liquidity providers, or their failure to perform; (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701 TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds; (7) modifications to rights of beneficial owners of the Bonds, if material; (8) bond calls, if material, and tender offers; (9) defeasances; (10) release, substitution, or sale of property securing repayment of the Bonds, if material; (11) rating changes; (12) bankruptcy, insolvency, receivership or similar event of the District; (13) consummation of a merger, consolidation, or acquisition involving the District or the sale of all or substantially all of the assets of the District, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of an definitive agreement relating to any such actions, other than pursuant to its terms, if material; (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; (15) incurrence of a financial obligation of the District or an obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the District or an obligated person, any of which affect security holders, if material; and (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the District or an obligated person, any of which reflect financial difficulties. The terms “financial obligation” and “material” when used in this paragraph shall have the meanings ascribed to them under federal securities laws. In addition, the District will provide timely notice of any failure by the District to provide financial information, operating data, or financial statements in accordance with its agreement described above under “—Annual Reports.”

## **Availability of Information from the MSRB**

The District has agreed to provide the foregoing information only to the MSRB. Investors will be able to access, without charge from the MSRB, continuing disclosure information filed with the MSRB at [www.emma.msrb.org](http://www.emma.msrb.org).

## **Limitations and Amendments**

The District has agreed to update information and to provide notices of specified events only as described above. The District has not agreed to provide other information that may be relevant or material to a complete presentation of its financial results of operations, condition, or prospects or agreed to update any information that is provided, except as described above. The District makes no representation or warranty concerning such information or concerning its usefulness to a decision to invest in or sell Bonds at any future date. The District disclaims any contractual or tort liability for damages resulting in whole or in part from any breach of its continuing disclosure agreement or from any statement made pursuant to its agreement, although holders or Beneficial Owners of Bonds may seek a writ of mandamus to compel the District to comply with its agreement.



The District may amend its continuing disclosure agreement from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the District, if but only if (1) the agreement, as amended, would have permitted an underwriter to purchase or sell Bonds in the offering made hereby in compliance with SEC Rule 15c2-12, taking into account any amendments or interpretations of SEC Rule 15c2-12 to the date of such amendment, as well as such changed circumstances, and (2) either (a) the holders of a majority in aggregate principal amount of the outstanding Bonds consent to the amendment or (b) any person unaffiliated with the District (such as nationally recognized bond counsel) determines that the amendment will not materially impair the interests of the Registered Owners and Beneficial Owners of the Bonds. If the District so amends the agreement, it has agreed to include with any financial information or operating data next provided in accordance with its agreement described above under “Annual Reports” an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information and operating so provided.

**Compliance With Prior Undertakings**

During the last five years, the District has complied in all material respects with its previous continuing disclosure agreements.

**MISCELLANEOUS**

All estimates, statements and assumptions in this Official Statement and the APPENDICES hereto have been made on the basis of the best information available and are believed to be reliable and accurate. Any statements in this Official Statement involving matters of opinion or estimates, whether or not expressly so stated, are intended as such and not as representations of fact, and no representation is made that any such statements will be realized.

This Official Statement was approved by the Board of Directors of Newport Municipal Utility District, as of the date shown on the cover page.

/s/ Margarette Chasteen  
President, Board of Directors

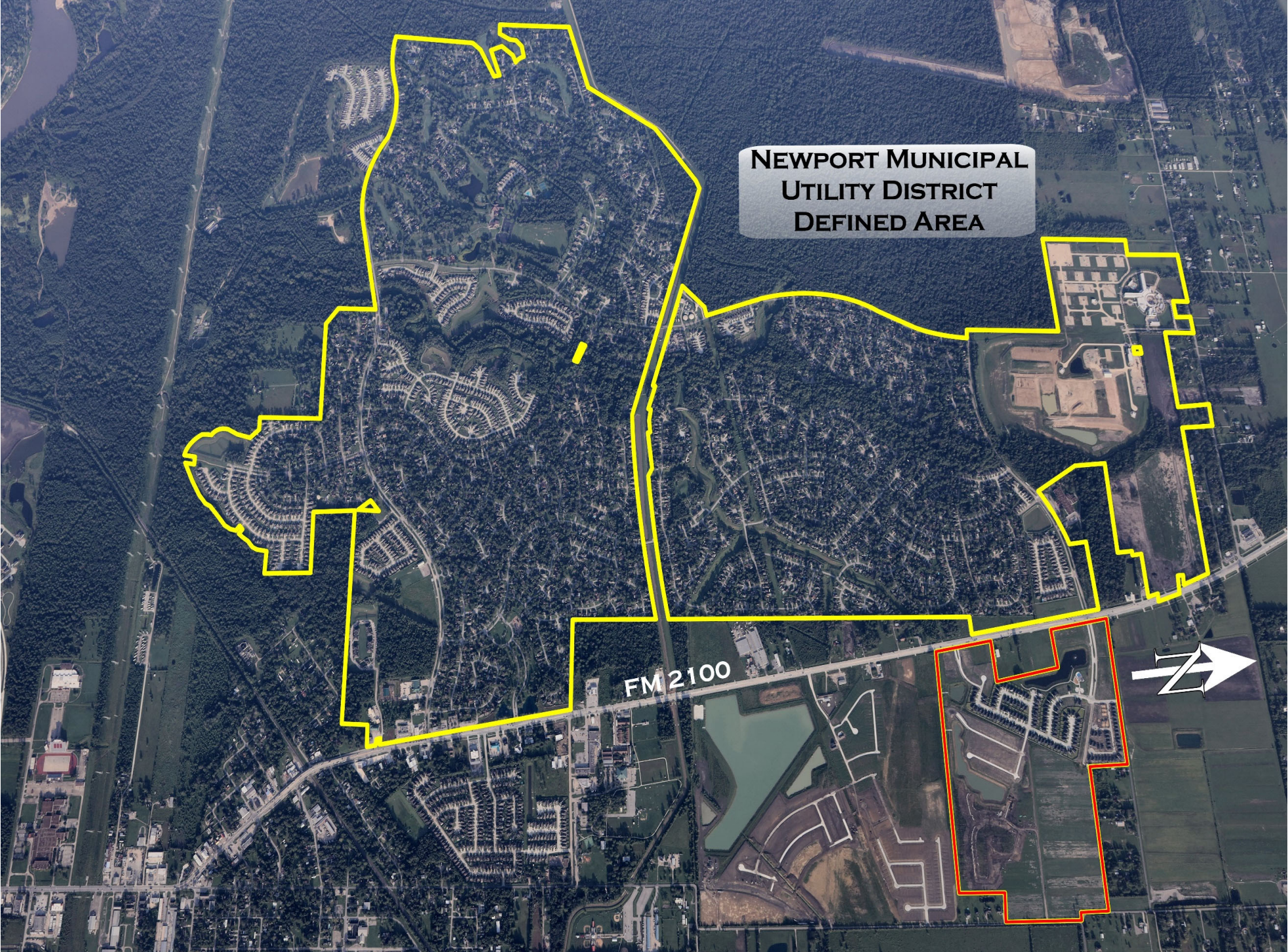
ATTEST:

/s/ Deborah Florus  
Secretary, Board of Directors

**AERIAL PHOTOGRAPH**  
**(As of August 2024)**

**NEWPORT MUNICIPAL  
UTILITY DISTRICT  
DEFINED AREA**

FM 2100



**PHOTOGRAPHS OF THE DISTRICT  
(As of August 2024)**













**APPENDIX A**

**District Audited Financial Statements for the fiscal year ended December 31, 2023**

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**HARRIS COUNTY, TEXAS**  
**ANNUAL FINANCIAL REPORT**  
**DECEMBER 31, 2023**

**McCALL GIBSON SWEDLUND BARFOOT PLLC**  
Certified Public Accountants



## TABLE OF CONTENTS

	<u>PAGE</u>
INDEPENDENT AUDITOR'S REPORT	1-3
MANAGEMENT'S DISCUSSION AND ANALYSIS	4-8
BASIC FINANCIAL STATEMENTS	
STATEMENT OF NET POSITION AND GOVERNMENTAL FUNDS BALANCE SHEET	9-12
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE STATEMENT OF NET POSITION	13
STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES	14-15
RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES	16
NOTES TO THE FINANCIAL STATEMENTS	17-34
REQUIRED SUPPLEMENTARY INFORMATION	
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE-BUDGET AND ACTUAL-GENERAL FUND	36
SUPPLEMENTARY INFORMATION – REQUIRED BY THE WATER DISTRICT FINANCIAL MANAGEMENT GUIDE	
NOTES REQUIRED BY THE WATER DISTRICT FINANCIAL MANAGEMENT GUIDE (Included in the notes to the financial statements)	
SERVICES AND RATES	38-40
GENERAL FUND EXPENDITURES	41
INVESTMENTS	42
TAXES LEVIED AND RECEIVABLE	43-44
LONG-TERM DEBT SERVICE REQUIREMENTS	45-54
CHANGES IN LONG-TERM BOND DEBT	55-57
COMPARATIVE SCHEDULE OF REVENUES AND EXPENDITURES GENERAL FUND AND DEBT SERVICE FUND - FIVE YEARS	58-61
BOARD MEMBERS, KEY PERSONNEL AND CONSULTANTS	62-63



**McCALL GIBSON SWEDLUND BARFOOT PLLC**  
*Certified Public Accountants*

13100 Wortham Center Drive  
Suite 235  
Houston, Texas 77065-5610  
(713) 462-0341  
Fax (713) 462-2708

PO Box 29584  
Austin, TX 78755-5126  
(512) 610-2209  
[www.mgsbpllc.com](http://www.mgsbpllc.com)  
E-Mail: [mgsb@mgsbpllc.com](mailto:mgsb@mgsbpllc.com)

**INDEPENDENT AUDITOR'S REPORT**

Board of Directors  
Newport Municipal Utility District  
Harris County, Texas

**Opinions**

We have audited the accompanying financial statements of the governmental activities and each major fund of Newport Municipal Utility District (the "District") as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of December 31, 2023, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

**Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

**Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.





### **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### **Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis and the Schedule of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.



Board of Directors  
Newport Municipal Utility District

### **Supplementary Information**

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The supplementary information required by the Texas Commission on Environmental Quality as published in the *Water District Financial Management Guide* is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The supplementary information, excluding that portion marked "Unaudited" on which we express no opinion or provide an assurance, has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

A handwritten signature in black ink that reads "McCall Gibson Swedlund Barfoot PLLC". The signature is written in a cursive, flowing style.

McCall Gibson Swedlund Barfoot PLLC  
Certified Public Accountants  
Houston, Texas

April 18, 2024



**NEWPORT MUNICIPAL UTILITY DISTRICT  
MANAGEMENT’S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED DECEMBER 31, 2023**

Management’s discussion and analysis of the financial performance of Newport Municipal Utility District (the “District”) provides an overview of the District’s financial activities for the fiscal year ended December 31, 2023. Please read it in conjunction with the District’s financial statements.

**USING THIS ANNUAL REPORT**

This annual report consists of a series of financial statements. The basic financial statements include: (1) combined fund financial statements and government-wide financial statements and (2) notes to the financial statements. The combined fund financial statements and government-wide financial statements combine both: (1) the Statement of Net Position and Governmental Funds Balance Sheet and (2) the Statement of Activities and Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances. This report also includes required and other supplementary information in addition to the basic financial statements.

**GOVERNMENT-WIDE FINANCIAL STATEMENTS**

The District’s annual report includes two financial statements combining the government-wide financial statements and the fund financial statements. The government-wide financial statements provides both long-term and short-term information about the District’s overall status. Financial reporting at this level uses a perspective similar to that found in the private sector with its basis in full accrual accounting and elimination or reclassification of internal activities.

The Statement of Net Position presents information that includes all of the District’s assets, liabilities, deferred inflows of resources, and deferred outflows of resources with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District as a whole is improving or deteriorating. Evaluation of the overall health of the District would extend to other non-financial factors.

The Statement of Activities reports how the District’s net position changed during the current fiscal year. All current year revenues and expenses are included regardless of when cash is received or paid.

**FUND FINANCIAL STATEMENTS**

The combined statements also include fund financial statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District has three governmental fund types. The General Fund accounts for resources not accounted for in another fund, customer service revenues, operating costs and general expenditures. The Debt Service Fund accounts for ad valorem taxes and financial resources restricted, committed or assigned for servicing bond debt and the cost of assessing and collecting taxes. The Capital Projects Fund accounts for financial resources restricted, committed or assigned for acquisition or construction of facilities and related costs.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED DECEMBER 31, 2023**

**FUND FINANCIAL STATEMENTS (Continued)**

Governmental funds are reported in each of the financial statements. The focus in the fund statements provides a distinctive view of the District's governmental funds. These statements report short-term fiscal accountability focusing on the use of spendable resources and balances of spendable resources available at the end of the year. They are useful in evaluating annual financing requirements of the District and the commitment of spendable resources for the near-term.

Since the government-wide focus includes the long-term view, comparisons between these two perspectives may provide insight into the long-term impact of short-term financing decisions. The adjustments columns, the Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position and the Reconciliation of the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances to the Statement of Activities explain the differences between the two presentations and assist in understanding the differences between these two perspectives.

**NOTES TO THE FINANCIAL STATEMENTS**

The accompanying notes to the financial statements provide information essential to a full understanding of the government-wide and fund financial statements.

**OTHER INFORMATION**

In addition to the financial statements and accompanying notes, this report also presents certain required supplementary information ("RSI") and other supplementary information. The budgetary comparison schedule is included as RSI for the General Fund.

**GOVERNMENT-WIDE FINANCIAL ANALYSIS**

Net position may serve over time as a useful indicator of the District's financial position. In the case of the District, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$16,058,279 as of December 31, 2023. A portion of the District's net position reflects its net investments in capital assets which includes land and land improvements, construction in progress, equipment, buildings, water, wastewater and drainage facilities and parks less any debt used to acquire those assets that is still outstanding.

The table on the following page presents a comparative analysis of government-wide changes in net position for the current and prior years.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED DECEMBER 31, 2023**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS (Continued)**

	Summary of Changes in the Statement of Net Position		
	2023	2022	Change Positive (Negative)
Current and Other Assets	\$ 48,233,181	\$ 40,311,711	\$ 7,921,470
Capital Assets (Net of Accumulated Depreciation)	39,276,566	31,826,610	7,449,956
Total Assets	\$ 87,509,747	\$ 72,138,321	\$ 15,371,426
Deferred Outflows of Resources	\$ 335,692	\$ 399,575	\$ (63,883)
Bonds Payable	\$ 57,264,708	\$ 46,140,947	\$ (11,123,761)
Other Liabilities	7,323,788	8,653,287	1,329,499
Total Liabilities	\$ 64,588,496	\$ 54,794,234	\$ (9,794,262)
Deferred Inflows of Resources	\$ 7,198,664	\$ 5,673,468	\$ (1,525,196)
Net Position:			
Net Investment in Capital Assets	\$ (2,151,511)	\$ (2,201,732)	\$ 50,221
Restricted	1,768,079	1,785,689	(17,610)
Unrestricted	16,441,711	12,486,237	3,955,474
Total Net Position	\$ 16,058,279	\$ 12,070,194	\$ 3,988,085

The following table provides a summary of the District's operations for the years ended December 31, 2023, and December 31, 2022.

	Summary of Changes in the Statement of Activities		
	2023	2022	Change Positive (Negative)
Revenues:			
Property Taxes	\$ 5,668,949	\$ 4,973,850	\$ 695,099
Charges for Services	6,366,916	5,742,367	624,549
Other Revenues	2,581,676	2,741,325	(159,649)
Total Revenues	\$ 14,617,541	\$ 13,457,542	\$ 1,159,999
Expenses for Services	10,629,456	8,935,125	(1,694,331)
Change in Net Position	\$ 3,988,085	\$ 4,522,417	\$ (534,332)
Net Position, Beginning of Year	12,070,194	7,547,777	4,522,417
Net Position, End of Year	\$ 16,058,279	\$ 12,070,194	\$ 3,988,085

**NEWPORT MUNICIPAL UTILITY DISTRICT  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED DECEMBER 31, 2023**

**FINANCIAL ANALYSIS OF THE DISTRICT'S GOVERNMENTAL FUNDS**

The District's combined fund balances as of December 31, 2023, were \$37,721,719, an increase of \$5,551,693 from the prior year.

The General Fund fund balance increased by \$3,694,488, primarily due to service revenues, property tax revenues, and investment revenues exceeding operating, capital, and administrative costs.

The Debt Service Fund fund balance increased by \$137,933, primarily due to the structure of the District's outstanding long-term debt.

The Capital Projects Fund fund balance increased by \$1,719,272. The increase was due to the issuance of the Series 2023 bonds in the current year, a portion of which remained unspent at year end.

**GENERAL FUND BUDGETARY HIGHLIGHTS**

The Board adopts an unappropriated budget each year. Actual revenues were \$1,589,393 more than budgeted revenues and actual expenditures were \$486,864 more than budgeted expenditures which resulted in a positive variance of \$1,102,529.

**CAPITAL ASSETS**

Capital assets as of December 31, 2023, totaled \$39,276,566 (net of accumulated depreciation) and include land and land improvements, construction in progress, buildings, equipment, parks and the water, wastewater and drainage systems.

Capital Assets At Year-End			
	2023	2022	Change Positive (Negative)
Capital Assets Not Being Depreciated:			
Land and Land Improvements	\$ 649,253	\$ 649,253	\$
Construction in Progress	13,996,255	5,959,161	8,037,094
Capital Assets Subject to Depreciation:			
Equipment	285,129	285,129	
Buildings	193,360	193,360	
Water System	19,287,858	19,218,467	69,391
Wastewater System	20,744,020	20,662,026	81,994
Drainage System	5,393,032	5,237,558	155,474
Parks	3,882,984	3,544,113	338,871
Less: Accumulated Depreciation	(25,155,325)	(23,922,457)	(1,232,868)
Total Net Capital Assets	\$ 39,276,566	\$ 31,826,610	\$ 7,449,956



**NEWPORT MUNICIPAL UTILITY DISTRICT  
MANAGEMENT’S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED DECEMBER 31, 2023**

**LONG-TERM DEBT ACTIVITY**

At year end, the District had total bond debt payable of \$57,190,000. The changes in the debt position of the District during the fiscal year ended December 31, 2023, are summarized as follows:

Bond Debt Payable, January 1, 2023	\$ 45,910,000
Add: Bond Sale	12,430,000
Less: Bond Principal Paid	<u>(1,150,000)</u>
Bond Debt Payable, December 31, 2023	<u>\$ 57,190,000</u>

The District’s bonds carry an underlying rating of “A” from Standard & Poor’s. The District’s Series 2016 Refunding Bonds carry an insured rating of “AA/AA+” and the Series 2018 Bonds carry an insured rating of “AA” by virtue of bond insurance issued by Assured Guaranty Municipal Corporation. The District’s Series 2019 Refunding, Series 2020A, Series 2020B, Series 2021 and Series 2023 Bonds carry insured ratings of “AA” by virtue of bond insurance issued by Build America Mutual Assurance Company. Credit enhanced ratings provided through bond insurance policies are subject to change based on changes to the ratings of the insurers.

**CONTACTING THE DISTRICT’S MANAGEMENT**

This financial report is designed to provide a general overview of the District’s finances. Questions concerning any of the information provided in this report or requests for additional information should be addressed to Newport Municipal Utility District, c/o Smith, Murdaugh, Little & Bonham, L.L.P., 2727 Allen Parkway, Suite 1100, Houston, TX 77019.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**STATEMENT OF NET POSITION AND**  
**GOVERNMENTAL FUNDS BALANCE SHEET**  
**DECEMBER 31, 2023**

	General Fund	Debt Service Fund
<b>ASSETS</b>		
Cash	\$ 507,651	\$ 1,056,924
Investments	19,342,301	2,053,689
Receivables:		
Property Taxes	2,963,554	2,395,624
Penalty and Interest on Delinquent Taxes		
Service Accounts (Net of Allowance for Doubtful Accounts of \$40,000)	849,307	
Leases, Due Within One Year		
Leases, Due After One Year		
Standby Fees	140,991	
Due from Other Funds	2,112,000	
Prepaid Costs	94,964	
Capital Assets:		
Land and Land Improvements		
Construction in Progress		
Capital Assets (Net of Accumulated Depreciation)		
<b>TOTAL ASSETS</b>	<b>\$ 26,010,768</b>	<b>\$ 5,506,237</b>
 <b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Deferred Charges on Refunding Bonds	\$ -0-	\$ -0-
<b>TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES</b>	<b>\$ 26,010,768</b>	<b>\$ 5,506,237</b>

The accompanying notes to the financial  
statements are an integral part of this report.

Capital Projects Fund	Total	Adjustments	Statement of Net Position
\$ 99,843	\$ 1,664,418	\$	\$ 1,664,418
17,910,471	39,306,461		39,306,461
	5,359,178		5,359,178
		94,152	94,152
	849,307		849,307
		19,110	19,110
		842,395	842,395
	140,991	(140,991)	
	2,112,000	(2,112,000)	
	94,964	3,196	98,160
		649,253	649,253
		13,996,255	13,996,255
		24,631,058	24,631,058
<u>\$ 18,010,314</u>	<u>\$ 49,527,319</u>	<u>\$ 37,982,428</u>	<u>\$ 87,509,747</u>
<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ 335,692</u>	<u>\$ 335,692</u>
<u><u>\$ 18,010,314</u></u>	<u><u>\$ 49,527,319</u></u>	<u><u>\$ 38,318,120</u></u>	<u><u>\$ 87,845,439</u></u>

The accompanying notes to the financial statements are an integral part of this report.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
STATEMENT OF NET POSITION AND  
GOVERNMENTAL FUNDS BALANCE SHEET  
DECEMBER 31, 2023**

	General Fund	Debt Service Fund
<b>LIABILITIES</b>		
Accounts Payable	\$ 425,205	\$ 31,559
Accrued Interest Payable		
Unearned Revenue	134,850	
Due to Other Funds		524,132
Security Deposits	748,406	
Developer Advances	796,334	
Long-Term Liabilities:		
Bonds Payable, Due Within One Year		
Bonds Payable, Due After One Year		
Note Payable, Due Within One Year		
<b>TOTAL LIABILITIES</b>	<b>\$ 2,104,795</b>	<b>\$ 555,691</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>		
Property Taxes	\$ 3,590,069	\$ 2,904,679
Lease Revenues		
Standby Fees	140,991	
<b>TOTAL DEFERRED INFLOWS OF RESOURCES</b>	<b>\$ 3,731,060</b>	<b>\$ 2,904,679</b>
<b>FUND BALANCES</b>		
Nonspendable - Prepaid Costs	\$ 94,964	\$
Restricted for Authorized Construction		
Restricted for Debt Service		2,045,867
Restricted for Defined Area Operations	66,672	
Committed for Capital Improvements	2,005,057	
Unassigned	18,008,220	
<b>TOTAL FUND BALANCES</b>	<b>\$ 20,174,913</b>	<b>\$ 2,045,867</b>
<b>TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES</b>	<b>\$ 26,010,768</b>	<b>\$ 5,506,237</b>
<b>NET POSITION</b>		
Net Investment in Capital Assets		
Restricted for Debt Service		
Unrestricted		
<b>TOTAL NET POSITION</b>		

The accompanying notes to the financial  
statements are an integral part of this report.

Capital Projects Fund	Total	Adjustments	Statement of Net Position
\$ 921,507	\$ 1,378,271	\$	\$ 1,378,271
		437,309	437,309
	134,850	3,825,000	3,959,850
1,587,868	2,112,000	(2,112,000)	
	748,406		748,406
	796,334		796,334
		1,200,000	1,200,000
		56,064,708	56,064,708
		3,618	3,618
<u>\$ 2,509,375</u>	<u>\$ 5,169,861</u>	<u>\$ 59,418,635</u>	<u>\$ 64,588,496</u>
\$	\$ 6,494,748	\$ (129,150)	\$ 6,365,598
		833,066	833,066
	140,991	(140,991)	
<u>\$ -0-</u>	<u>\$ 6,635,739</u>	<u>\$ 562,925</u>	<u>\$ 7,198,664</u>
\$	\$ 94,964	\$ (94,964)	\$
15,500,939	15,500,939	(15,500,939)	
	2,045,867	(2,045,867)	
	66,672	(66,672)	
	2,005,057	(2,005,057)	
	18,008,220	(18,008,220)	
<u>\$ 15,500,939</u>	<u>\$ 37,721,719</u>	<u>\$ (37,721,719)</u>	<u>\$ -0-</u>
<u>\$ 18,010,314</u>	<u>\$ 49,527,319</u>		
		\$ (2,151,511)	\$ (2,151,511)
		1,768,079	1,768,079
		16,441,711	16,441,711
		<u>\$ 16,058,279</u>	<u>\$ 16,058,279</u>

The accompanying notes to the financial statements are an integral part of this report.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET  
TO THE STATEMENT OF NET POSITION  
DECEMBER 31, 2023**

Total Fund Balances - Governmental Funds		\$ 37,721,719
<p>Amounts reported for governmental activities in the Statement of Net Position are different because:</p>		
Prepaid bond insurance in governmental activities is not a current financial resource and, therefore, is not reported as an asset in the governmental funds.		3,196
Deferred charges on refunding bonds are not expenditures of the current period.		335,692
Capital assets used in governmental activities are not current financial resources and, therefore, are not reported as assets in the governmental funds.		39,276,566
Leases receivable and the corresponding deferred inflows of resources are reported in the government-wide financial statements in accordance with auditing standards.		28,439
Deferred tax revenues and penalty and interest receivable on delinquent taxes for the 2022 and prior tax levies became part of recognized revenue in the governmental activities of the District.		223,302
<p>Certain liabilities are not due and payable in the current period and, therefore, are not reported as liabilities in the governmental funds. These liabilities at year end consist of:</p>		
Accrued Interest Payable	\$ (437,309)	
Unearned Revenue - Payment in Lieu of Taxes	(3,825,000)	
Bonds Payable	(57,264,708)	
Note Payable	<u>(3,618)</u>	<u>(61,530,635)</u>
Total Net Position - Governmental Activities		<u>\$ 16,058,279</u>

The accompanying notes to the financial statements are an integral part of this report.

**THIS PAGE INTENTIONALLY LEFT BLANK**

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUNDS STATEMENT OF**  
**REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

	General Fund	Debt Service Fund
<b>REVENUES</b>		
Property Taxes	\$ 3,276,407	\$ 2,396,062
Water Service	2,461,028	
Wastewater Service	2,980,681	
San Jacinto River Authority Fees	197,052	
Penalty and Interest	129,778	46,354
Tap Connection and Inspection Fees	557,606	
Groundwater Credits	397,034	
Investment and Miscellaneous Revenues	1,043,126	137,130
<b>TOTAL REVENUES</b>	<b>\$ 11,042,712</b>	<b>\$ 2,579,546</b>
<b>EXPENDITURES/EXPENSES</b>		
Service Operations:		
Professional Fees	\$ 532,328	\$ 839
Contracted Services	3,497,793	120,341
Purchased Water Service	376,270	
Utilities	281,262	
Repairs and Maintenance	1,199,809	
Depreciation		
Other	831,781	9,789
Capital Outlay	623,701	
Developer Interest		
Debt Service:		
Note Principal	4,545	
Note Interest	735	
Bond Principal		1,150,000
Bond Interest		1,160,644
Bond Issuance Costs		
<b>TOTAL EXPENDITURES/EXPENSES</b>	<b>\$ 7,348,224</b>	<b>\$ 2,441,613</b>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES/EXPENSES</b>	<b>\$ 3,694,488</b>	<b>\$ 137,933</b>
<b>OTHER FINANCING SOURCES (USES)</b>		
Proceeds from Issuance of Long-Term Debt	\$	\$
Bond Discount		
<b>TOTAL OTHER FINANCING SOURCES, NET</b>	<b>\$ -0-</b>	<b>\$ -0-</b>
<b>NET CHANGE IN FUND BALANCES</b>	<b>\$ 3,694,488</b>	<b>\$ 137,933</b>
<b>CHANGE IN NET POSITION</b>		
<b>FUND BALANCES/NET POSITION - JANUARY 1, 2023</b>	<b>16,480,425</b>	<b>1,907,934</b>
<b>FUND BALANCES/NET POSITION - DECEMBER 31, 2023</b>	<b>\$ 20,174,913</b>	<b>\$ 2,045,867</b>

The accompanying notes to the financial statements are an integral part of this report.



Capital Projects Fund	Total	Adjustments	Statement of Activities
\$	\$ 5,672,469	\$ (3,520)	\$ 5,668,949
	2,461,028		2,461,028
	2,980,681		2,980,681
	197,052		197,052
	176,132	(5,583)	170,549
	557,606		557,606
	397,034		397,034
750,947	1,931,203	253,439	2,184,642
<u>\$ 750,947</u>	<u>\$ 14,373,205</u>	<u>\$ 244,336</u>	<u>\$ 14,617,541</u>
\$	\$ 533,167	\$	\$ 533,167
	3,618,134		3,618,134
	376,270		376,270
	281,262		281,262
10,207	1,210,016		1,210,016
		1,232,868	1,232,868
6,405	847,975		847,975
10,127,760	10,751,461	(10,751,461)	
305,447	305,447		305,447
	4,545	(4,545)	
	735		735
	1,150,000	(1,150,000)	
	1,160,644	143,866	1,304,510
919,072	919,072		919,072
<u>\$ 11,368,891</u>	<u>\$ 21,158,728</u>	<u>\$ (10,529,272)</u>	<u>\$ 10,629,456</u>
<u>\$ (10,617,944)</u>	<u>\$ (6,785,523)</u>	<u>\$ 10,773,608</u>	<u>\$ 3,988,085</u>
\$ 12,430,000	\$ 12,430,000	\$ (12,430,000)	\$
(92,784)	(92,784)	92,784	
<u>\$ 12,337,216</u>	<u>\$ 12,337,216</u>	<u>\$ (12,337,216)</u>	<u>\$ -0-</u>
\$ 1,719,272	\$ 5,551,693	\$ (5,551,693)	\$
		3,988,085	3,988,085
13,781,667	32,170,026	(20,099,832)	12,070,194
<u>\$ 15,500,939</u>	<u>\$ 37,721,719</u>	<u>\$ (21,663,440)</u>	<u>\$ 16,058,279</u>

The accompanying notes to the financial  
statements are an integral part of this report.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF  
REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES  
TO THE STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED DECEMBER 31, 2023**

Net Change in Fund Balances - Governmental Funds \$ 5,551,693

Amounts reported for governmental activities in the Statement of Activities are different because:

Governmental funds report tax revenues when collected. However, in the Statement of Activities, revenue is recorded in the accounting period for which the taxes are levied. (3,520)

Governmental funds report penalty and interest revenue on property taxes when collected. However, in the Statement of Activities, revenue is recorded when penalties and interest are assessed. (5,583)

Governmental funds do not account for depreciation. However, in the Statement of Net Position, capital assets are depreciated and depreciation expense is recorded in the Statement of Activities. (1,232,868)

Governmental funds report capital expenditures as expenditures in the period purchased. However, in the Statement of Net Position, capital assets are increased by new purchases and the Statement of Activities is not affected. 10,751,461

In the Statement of Net Position, bond discounts, bond premiums, deferred charges on refundings and bond insurance are amortized over the life of the bonds and the current year amortized portion is recorded in the Statement of Activities. 91,748

Governmental funds report bond principal payments and note principal payments as expenditures. However, in the Statement of Net Position, the principal portion of bond and note payments are reported as decreases in long-term liabilities. 1,154,545

Governmental funds report interest expenditures on long-term debt as expenditures in the year paid. However, in the Statement of Net Position, interest is accrued on the long-term debt through fiscal year-end. (142,830)

Governmental funds report bond proceeds as other financing sources. Issued bonds increase long-term liabilities in the Statement of Net Position. (12,430,000)

Governmental funds report receipts of payments in lieu of taxes as revenues in the period received. However, in the Statement of Net Position, payments in lieu of taxes are recorded as unearned revenue and amortized over 20 years, as defined by the governing agreement. 225,000

Governmental funds report lease revenues when collected. The net present value of future lease payments are recognized over the term of the lease in governmental activities. 28,439

Change in Net Position - Governmental Activities \$ 3,988,085

The accompanying notes to the financial statements are an integral part of this report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 1. CREATION OF DISTRICT**

Harris County Municipal Utility District No. 20 (“District No. 20”) was created by an Order of the Texas Water Rights Commission, presently known as the Texas Commission on Environmental Quality (the “Commission”), effective December 13, 1972. Harris County Municipal Utility District No. 73 (“District No. 73”) was created by an Order of the Texas Water Rights Commission, presently known as the Commission, effective September 13, 1977. Pursuant to the Texas Water Code, two or more districts governed by the provisions of Chapter 54 may be consolidated to form a single district. The Board of Directors of District No. 20 and District No. 73 agreed to consolidate. Effective May 2, 1998, voters within both districts voted to approve the consolidation into Newport Municipal Utility District (the “District”). Effective August 1, 1998, the District was formed. Pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, the District is empowered to purchase, operate and maintain all facilities, plants and improvements necessary to provide water, sanitary sewer service, storm sewer drainage, irrigation, solid waste collection and disposal, including recycling, and to construct parks and recreational facilities for the residents of the District. The District is also empowered to contract for or employ its own peace officers with powers to make arrests and to establish, operate and maintain a fire department to perform all fire-fighting activities within the District. The Board of Directors held its first meeting on August 26, 1998, and the first bonds of the District were sold on August 31, 1999.

The District is contiguous to Harris County Municipal Utility District No. 19 (“District No. 19”), which was organized at the inception of the Newport Project to own and operate the regional water supply and distribution and sewage collection and treatment facilities to serve all of the municipal utility districts in the Newport Project. District No. 19 operated in that capacity pursuant to a Water Supply Contract by and among District No. 19, Harris County Municipal Utility District No. 74 (“District No. 74”), District No. 20, District No. 73 and Purcell Co., Inc. (“Purcell”) (a previous developer in the Newport Project) dated May 1, 1978, as amended, and an Amended and Restated Waste Disposal Agreement by and among District No. 19, District No. 74, District No. 20, District No. 73 and Purcell dated September 1, 1980, as amended. District No. 19 owned and operated the central water supply facilities and wastewater treatment facilities for the benefit of other municipal utility districts that in turn provided retail water and wastewater service for all residential and commercial customers in the Newport Project.

After the consolidation of District No. 20 and District No. 73, the District became the only municipal utility district providing retail water and wastewater service to all residential and commercial customers in the Newport Project. In an effort to increase efficiency and reduce overall costs of administration of operations and maintenance of the water supply and wastewater treatment systems and facilities by eliminating certain duplicative administrative expenses, the District agreed to assume the rights, powers, duties and property of District No. 19. Pursuant to a Contract for Assignment of Rights, Powers and Duties and Transfer of Property, District No. 19 and the District agreed to transfer to the District all of District No. 19’s rights,

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 1. CREATION OF DISTRICT (Continued)**

powers and duties with respect to all of the existing central water supply and wastewater treatment facilities owned and operated by District No. 19, along with any future expansions or replacement of the facilities. The assignment and transfer were effective as of December 31, 1998, and since the effective date, District No. 19 has been inactive. Dissolution of District No. 19 occurred in 2016. Currently, the District operates all water supply and wastewater treatment plants and facilities in the Newport Project.

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES**

The accompanying financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America as promulgated by the Governmental Accounting Standards Board (“GASB”). In addition, the accounting records of the District are maintained generally in accordance with the *Water District Financial Management Guide* published by the Commission.

The District is a political subdivision of the State of Texas governed by an elected board. GASB has established criteria for determining whether or not an entity is a primary government or a component unit of a primary government. The primary criteria are that it has a separately elected governing body, it is legally separate, and it is fiscally independent of other state and local governments. Under these criteria, the District is considered a primary government and is not a component unit of any other government. Additionally, no other entities meet the criteria for inclusion in the District’s financial statement as component units.

Financial Statement Presentation

These financial statements have been prepared in accordance with GASB Codification of Governmental Accounting and Financial Reporting Standards Part II, Financial Reporting (“GASB Codification”).

The GASB Codification sets forth standards for external financial reporting for all state and local government entities, which include a requirement for a Statement of Net Position and a Statement of Activities. It requires the classification of net position into three components: Net Investment in Capital Assets; Restricted; and Unrestricted. These classifications are defined as follows:

- Net Investment in Capital Assets – This component of net position consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Financial Statement Presentation (Continued)

- Restricted Net Position – This component of net position consists of external constraints placed on the use of assets imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulation of other governments or constraints imposed by law through constitutional provisions or enabling legislation.
- Unrestricted Net Position – This component of net position consists of assets that do not meet the definition of Restricted or Net Investment in Capital Assets.

When both restricted and unrestricted resources are available for use, generally it is the District's policy to use restricted resources first.

Government-Wide Financial Statements

The Statement of Net Position and the Statement of Activities display information about the District as a whole. The District's Statement of Net Position and Statement of Activities are combined with the governmental fund financial statements. The District is viewed as a special-purpose government and has the option of combining these financial statements.

The Statement of Net Position is reported by adjusting the governmental fund types to report on the full accrual basis, economic resource basis, which recognizes all long-term assets and receivables as well as long-term debt and obligations. Any amounts recorded due to and due from other funds are eliminated in the Statement of Net Position.

The Statement of Activities is reported by adjusting the governmental fund types to report only items related to current year revenues and expenditures. Items such as capital outlay are allocated over their estimated useful lives as depreciation expense. Internal activities between governmental funds, if any, are eliminated by adjustment to obtain net total revenue and expense of the government-wide Statement of Activities.

Fund Financial Statements

The District's fund financial statements are combined with the government-wide financial statements. The fund financial statements include a Balance Sheet and Statement of Revenues, Expenditures and Changes in Fund Balances.

Governmental Funds

The District has three governmental funds and considers each to be a major fund.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Governmental Funds (Continued)

The General Fund accounts for resources not required to be accounted for in another fund, customer service revenues, operating costs and general expenditures. The Debt Service Fund accounts for ad valorem taxes and financial resources restricted, committed or assigned for servicing bond debt and the cost of assessing and collecting taxes. The Capital Projects Fund accounts for financial resources restricted, committed or assigned for acquisition or construction of facilities and related costs.

Basis of Accounting

The District uses the modified accrual basis of accounting for governmental fund types. The modified accrual basis of accounting recognizes revenues when both “measurable and available.” Measurable means the amount can be determined. Available means collectible within the current period or soon enough thereafter to pay current liabilities. The District considers revenue reported in governmental funds to be available if they are collectible within 60 days after year end. Also, under the modified accrual basis of accounting, expenditures are recorded when the related fund liability is incurred, except for principal and interest on long-term debt, which are recognized as expenditures when payment is due.

Property taxes considered available by the District and included in revenue include the 2022 tax levy collections during the period October 1, 2022 to December 31, 2023, and taxes collected from January 1, 2023 to December 31, 2023, for the 2021 and prior tax levies. The 2023 tax levy has been fully deferred to meet the obligations of the District in the 2024 fiscal year.

Amounts transferred from one fund to another fund are reported as other financing sources or uses. Loans by one fund to another fund and amounts paid by one fund for another fund are reported as interfund receivables and payables in the Governmental Funds Balance Sheet if there is intent to repay the amount and if the debtor fund has the ability to repay the advance on a timely basis. The Debt Service Fund owed the General Fund \$524,132 for maintenance tax collections and the Capital Projects Fund owed the General Fund \$1,587,868 for capital costs.

Service Accounts Receivable

The District provides for uncollectible accounts receivable through the allowance method of accounting. Under this method a provision for uncollectible accounts is charged against service revenue, and the allowance account is increased or decreased based on past collection history and management’s evaluation of current accounts receivable. All amounts considered uncollectible are charged against service revenue, and recoveries of previously charged-off accounts are added to service revenue. The District established a \$40,000 allowance for uncollectible accounts at December 31, 2023.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Capital Assets

Capital assets, which include land and land improvements, construction in progress, equipment, buildings, water, wastewater and drainage systems, and parks, are reported in the government-wide Statement of Net Position. All capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Donated assets are valued at their acquisition value on the date donated. Repairs and maintenance are recorded as expenditures in the governmental fund incurred and as an expense in the government-wide Statement of Activities. Capital asset additions, improvements and preservation costs that extend the life of an asset are capitalized and depreciated over the estimated useful life of the asset. Engineering fees and certain other costs are capitalized as part of the asset.

Assets are capitalized, including infrastructure assets, if they have an original cost greater than \$10,000 and a useful life over two years. Depreciation is calculated on each class of depreciable property using the straight-line method of depreciation over estimated useful lives ranging from 3 to 45 years.

Budgeting

An annual unappropriated budget is adopted for the General Fund by the District's Board of Directors. The budget is prepared using the same method of accounting as for financial reporting. The original General Fund budget for the current year was not amended. The Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – General Fund presents the budgeted amounts compared to the actual amounts of revenues and expenditures for the current year.

Pensions

The District has not established a pension plan as the District does not have employees. The Internal Revenue Service has determined that fees of office received by Directors are considered to be wages subject to federal income tax withholding for payroll purposes only.

Accounting Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Measurement Focus

Measurement focus is a term used to describe which transactions are recognized within the various financial statements. In the government-wide Statement of Net Position and Statement of Activities, the governmental activities are presented using the economic resources measurement focus. The accounting objectives of this measurement focus are the determination of operating income, changes in net position, financial position, and cash flows. All assets and liabilities associated with the activities are reported. Fund equity is classified as net position. Governmental fund types are accounted for on a spending or financial flow measurement focus. Accordingly, only current assets and current liabilities are included on the Balance Sheet, and the reported fund balances provide an indication of available spendable or appropriable resources. Operating statements of governmental fund types report increases and decreases in available spendable resources.

Fund balances in governmental funds are classified using the following hierarchy:

*Nonspendable*: amounts that cannot be spent either because they are in nonspendable form or because they are legally or contractually required to be maintained intact.

*Restricted*: amounts that can be spent only for specific purposes because of constitutional provisions, or enabling legislation, or because of constraints that are imposed externally.

*Committed*: amounts that can be spent only for purposes determined by a formal action of the Board of Directors. The Board is the highest level of decision-making authority for the District. This action must be made no later than the end of the fiscal year. Commitments may be established, modified, or rescinded only through ordinances or resolutions approved by the Board. During the fiscal years ending 2019, 2020 and 2022, the District collected \$2,005,057 in capital project base fees. As of December 31, 2023, this amount has been committed for future capital project improvements. Base fees are no longer included in charges to District customers.

*Assigned*: amounts that do not meet the criteria to be classified as restricted or committed, but that are intended to be used for specific purposes. The District has not adopted a formal policy regarding the assignment of fund balances and does not have any assigned fund balances.

*Unassigned*: all other spendable amounts in the General Fund.

When expenditures are incurred for which restricted, committed, assigned or unassigned fund balances are available, the District considers amounts to have been spent first out of restricted funds, then committed funds, then assigned funds, and finally unassigned funds.



**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 3. LONG-TERM DEBT**

	Refunding Series 2013	Refunding Series 2016	Series 2016A
Amount Outstanding – December 31, 2023	\$ 1,180,000	\$ 2,290,000	\$ 5,500,000
Interest Rates	3.75%	4.00%	2.125% – 3.000%
Maturity Dates – Serially Beginning/Ending	April 1, 2024/2025	April 1, 2024/2029	April 1, 2026/2039
Interest Payment Dates	April 1/ October 1	April 1/ October 1	April 1/ October 1
Callable Dates	April 1, 2020*	April 1, 2024*	April 1, 2024*
		Refunding Series 2019	Series 2020A
Amount Outstanding – December 31, 2023	\$ 4,225,000	\$ 1,815,000	\$ 7,500,000
Interest Rates	3.000% – 3.625%	2.00% – 3.00%	2.25% – 2.75%
Maturity Dates – Serially Beginning/Ending	April 1, 2026/2041	April 1, 2024/2029	April 1, 2030/2043
Interest Payment Dates	April 1/ October 1	April 1/ October 1	April 1/ October 1
Callable Dates	April 1, 2024*	April 1, 2025*	April 1, 2025*

\* Or any date thereafter, callable at par plus unpaid accrued interest in whole or in part at the option of the District. Series 2013 Refunding term bonds due April 1, 2025 are subject to mandatory redemption beginning April 1, 2024. Series 2016A term bonds due April 1, 2031 are subject to mandatory redemption beginning April 1, 2026. Series 2018 term bonds due April 1, 2030 are subject to mandatory redemption beginning April 1, 2029. Series 2020A term bonds due April 1, 2041 and 2043 are subject to mandatory redemption beginning April 1, 2040 and 2042.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 3. LONG-TERM DEBT (Continued)**

	<u>Series 2020B</u>	<u>Series 2021</u>	<u>Series 2023</u>
Amount Outstanding – December 31, 2023	\$ 1,410,000	\$ 20,840,000	\$ 12,430,000
Interest Rates	2.25% – 2.75%	2.00% – 4.50%	4.00% – 4.50%
Maturity Dates – Serially Beginning/Ending	April 1, 2030/2042	April 1, 2026/2046	April 1, 2026/2048
Interest Payment Dates	April 1/ October 1	April 1/ October 1	April 1/ October 1
Callable Dates	April 1, 2025**	April 1, 2027**	April 1, 2029**

\*\* Or any date thereafter, callable at par plus unpaid accrued interest in whole or in part at the option of the District. Series 2020B term bonds due April 1, 2031, 2033, 2036, 2039 and 2042 are subject to mandatory redemption beginning April 1, 2030, 2032, 2034, 2037 and 2040. Series 2021 term bonds due April 1, 2036, 2044 and 2046 are subject to mandatory redemption beginning April 1, 2035, 2043 and 2045.

Transactions regarding bonds payable for the current year is summarized in the following table:

	<u>January 1, 2023</u>	<u>Additions</u>	<u>Retirements</u>	<u>December 31, 2023</u>
Bonds Payable	\$ 45,910,000	\$ 12,430,000	\$ 1,150,000	\$ 57,190,000
Unamortized Discounts	(83,466)	(92,784)	(5,100)	(171,150)
Unamortized Premiums	314,413		68,555	245,858
Bonds Payable, Net	<u>\$ 46,140,947</u>	<u>\$ 12,337,216</u>	<u>\$ 1,213,455</u>	<u>\$ 57,264,708</u>
		Amount Due Within One Year		\$ 1,200,000
		Amount Due After One Year		<u>56,064,708</u>
		Bonds Payable, Net		<u>\$ 57,264,708</u>

On September 19, 2023, the District closed on the sale of its \$12,430,000 Series 2023 Unlimited Tax Bonds. Proceeds from sale of the Bonds will be used to finance construction and related engineering costs for the following: water, sanitary sewer and drainage facilities to serve Newport, Section 10 Partial Replat No. 1, Newport, Section 7 Partial Replat No. 4, and Newport, Section 7 Partial Replat No. 5; clearing and grubbing to serve Newport, Section 7 Partial Replat Nos. 4 and 5; Sanitary Sewer System Improvement Projects; Surface Water and Ground Water Improvement Projects; and Water System Improvement Projects. Bond proceeds will also be used to pay developer interest and to pay certain costs associated with the issuance of the Bonds.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 3. LONG-TERM DEBT (Continued)**

As of December 31, 2023, the debt service requirements on the bonds outstanding were as follows:

Fiscal Year	Principal	Interest	Total
2024	\$ 1,200,000	\$ 1,676,599	\$ 2,876,599
2025	1,255,000	1,616,813	2,871,813
2026	1,935,000	1,561,407	3,496,407
2027	1,990,000	1,490,997	3,480,997
2028	2,015,000	1,425,232	3,440,232
2029-2033	10,760,000	6,278,347	17,038,347
2034-2038	12,460,000	4,777,006	17,237,006
2039-2043	13,545,000	2,974,450	16,519,450
2044-2048	12,030,000	987,862	13,017,862
	<u>\$ 57,190,000</u>	<u>\$ 22,788,713</u>	<u>\$ 79,978,713</u>

As of December 31, 2023, the District had authorized but unissued bonds in the amount of \$27,780,000 for water, sewer and drainage facilities, \$50,000,000 for water, sewer and drainage facilities for Defined Area No. 1 and \$55,000,000 for water, sewer, and drainage facilities for Defined Area No. 2 (see also Note 13). The District also has authorization to issue bonds for refunding purposes.

The bonds are payable from the proceeds of an ad valorem tax levied upon all property subject to taxation within the District, without limitation as to rate or amount, and certain bonds are further payable from and secured by a lien on and pledge of the net revenues to be received from the operation of the District's waterworks and sanitary sewer system.

During the year ended December 31, 2023, the District levied an ad valorem debt service tax rate of \$0.27 per \$100 of assessed valuation, which resulted in a tax levy of \$2,839,310 on the adjusted taxable valuation of \$1,051,596,372 for the 2023 tax year. The bond orders require the District to levy and collect an ad valorem debt service tax sufficient to pay interest and principal on bonds when due and the cost of assessing and collecting taxes. See Note 7 for the maintenance tax levy and Note 13 for the tax levied for Defined Area No. 1.

All property values and exempt status, if any, are determined by the appraisal district. Assessed values are determined as of January 1 of each year, at which time a tax lien attaches to the related property. Taxes are levied around October/November, are due upon receipt and are delinquent the following February 1. Penalty and interest attach thereafter.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 4. SIGNIFICANT BOND ORDERS AND LEGAL REQUIREMENTS**

The District is required to provide to certain information repositories continuing disclosure of annual financial information and operating data with respect to the District. The information is of the general type included in the annual audit report and must be filed within six months after the end of each fiscal year of the District.

The District has covenanted that it will take all necessary steps to comply with the requirement that rebatable arbitrage earnings on the investment of the gross proceeds of the bonds, within the meaning of Section 148(f) of the Internal Revenue Code, be rebated to the federal government.

**NOTE 5. DEPOSITS AND INVESTMENTS**

Deposits

Custodial credit risk is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The District's deposit policy for custodial credit risk requires compliance with the provisions of Texas statutes.

Texas statutes require that any cash balance in any fund shall, to the extent not insured by the Federal Deposit Insurance Corporation or its successor, be continuously secured by a valid pledge to the District of securities eligible under the laws of Texas to secure the funds of the District, having an aggregate market value, including accrued interest, at all times equal to the uninsured cash balance in the fund to which such securities are pledged. At fiscal year end, the carrying amount of the District's deposits was \$1,664,418 and the bank balance was \$1,712,044. Of the bank balance, \$599,843 was covered by federal depository insurance and the remaining by pledged collateral held by a third party in the District's name. The District was not exposed to custodial credit risk at year-end.

The carrying values of the deposits are included in the Governmental Funds Balance Sheet and the Statement of Net Position at December 31, 2023, as listed below:

GENERAL FUND	\$ 507,651
DEBT SERVICE FUND	1,056,924
CAPITAL PROJECTS FUND	<u>99,843</u>
TOTAL DEPOSITS	<u>\$ 1,664,418</u>

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 5. DEPOSITS AND INVESTMENTS (Continued)**

Investments

Under Texas law, the District is required to invest its funds under written investment policies that primarily emphasize safety of principal and liquidity and that address investment diversification, yield, maturity, and the quality and capability of investment management, and all District funds must be invested in accordance with the following investment objectives: understanding the suitability of the investment to the District's financial requirements, first; preservation and safety of principal, second; liquidity, third; marketability of the investments if the need arises to liquidate the investment before maturity, fourth; diversification of the investment portfolio, fifth; and yield, sixth. The District's investments must be made "with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived." No person may invest District funds without express written authority from the Board of Directors.

Texas statutes include specifications for and limitations applicable to the District and its authority to purchase investments as defined in the Public Funds Investment Act. The District has adopted a written investment policy to establish the guidelines by which it may invest. This policy is reviewed annually. The District's investment policy may be more restrictive than the Public Funds Investment Act.

The District invests in TexPool, an external investment pool that is not SEC-registered. The State Comptroller of Public Accounts of the State of Texas has oversight of the pool. Federated Hermes, Inc. manages the daily operations of the pool under a contract with the Comptroller. TexPool measures all of its portfolio assets at amortized cost. As a result, the District also measures its investments in TexPool at amortized cost for financial reporting purposes. There are no limitations or restrictions on withdrawals from TexPool.

The District invests in Texas CLASS, an external investment pool that is not SEC-registered. Texas CLASS invests only in securities allowed by the Public Funds Investment Act and is governed by a board of trustees, elected annually by its participants. Public Trust Advisors, LLC serves as the pool's administrator and investment advisor and UMB Bank, N.A. serves as custodian for the pool. Texas CLASS measures all of its portfolio assets at amortized cost. As a result, the District also measures its investments in Texas CLASS at amortized cost for financial reporting purposes. There are no limitations or restrictions on withdrawals from Texas CLASS.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 5. DEPOSITS AND INVESTMENTS (Continued)**

Investments (Continued)

As of December 31, 2023, the District had the following investments and maturities:

<u>Funds and Investment Type</u>	<u>Fair Value</u>	<u>Maturities of Less Than 1 Year</u>
<u>GENERAL FUND</u>		
TexPool	\$ 1,046	\$ 1,046
Texas CLASS	19,341,255	19,341,255
<u>DEBT SERVICE FUND</u>		
TexPool	521	521
Texas CLASS	2,053,168	2,053,168
<u>CAPITAL PROJECTS FUND</u>		
Texas CLASS	<u>17,910,471</u>	<u>17,910,471</u>
<b>TOTAL INVESTMENTS</b>	<b><u>\$ 39,306,461</u></b>	<b><u>\$ 39,306,461</u></b>

Credit risk is the risk that the issuer or other counterparty to an investment will not fulfill its obligations. At December 31, 2023, the District's investments in TexPool and Texas CLASS were rated AAAM by Standard and Poor's.

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The District considers the investments in TexPool and Texas CLASS to have maturities of less than one year due to the fact the share positions can usually be redeemed each day at the discretion of the District unless there have been significant changes in value.

Restrictions

All cash and investments of the Debt Service Fund are restricted for the payment of debt service and the cost of assessing and collecting taxes.

All cash and investments of the Capital Projects Fund are restricted for the purchase of capital assets.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 6. CAPITAL ASSETS**

Capital asset activity for the current year is summarized in the following table:

	January 1, 2023	Increases	Decreases	December 31, 2023
<b>Capital Assets Not Being Depreciated</b>				
Land and Land Improvements	\$ 649,253	\$	\$	\$ 649,253
Construction in Progress	<u>5,959,161</u>	<u>8,375,965</u>	<u>338,871</u>	<u>13,996,255</u>
<b>Total Capital Assets Not Being Depreciated</b>	<u>\$ 6,608,414</u>	<u>\$ 8,375,965</u>	<u>\$ 338,871</u>	<u>\$ 14,645,508</u>
<b>Capital Assets Subject to Depreciation</b>				
Equipment	\$ 285,129	\$	\$	\$ 285,129
Buildings	193,360			193,360
Water System	19,218,467	69,391		19,287,858
Wastewater System	20,662,026	81,994		20,744,020
Drainage System	5,237,558	155,474		5,393,032
Parks	<u>3,544,113</u>	<u>338,871</u>		<u>3,882,984</u>
<b>Total Capital Assets Subject to Depreciation</b>	<u>\$ 49,140,653</u>	<u>\$ 645,730</u>	<u>\$ - 0 -</u>	<u>\$ 49,786,383</u>
<b>Accumulated Depreciation</b>				
Equipment	\$ 195,619	\$ 14,924	\$	\$ 210,543
Buildings	63,070	4,991		68,061
Water System	10,048,481	526,400		10,574,881
Wastewater System	10,380,426	497,098		10,877,524
Drainage System	494,091	130,832		624,923
Parks	<u>2,740,770</u>	<u>58,623</u>		<u>2,799,393</u>
<b>Total Accumulated Depreciation</b>	<u>\$ 23,922,457</u>	<u>\$ 1,232,868</u>	<u>\$ - 0 -</u>	<u>\$ 25,155,325</u>
<b>Total Depreciable Capital Assets, Net of Accumulated Depreciation</b>	<u>\$ 25,218,196</u>	<u>\$ (587,138)</u>	<u>\$ - 0 -</u>	<u>\$ 24,631,058</u>
<b>Total Capital Assets, Net of Accumulated Depreciation</b>	<u>\$ 31,826,610</u>	<u>\$ 7,788,827</u>	<u>\$ 338,871</u>	<u>\$ 39,276,566</u>

**NOTE 7. MAINTENANCE TAX**

At an election held on May 2, 1998, the voters of the District approved the levy and collection of a maintenance tax not to exceed \$1.00 per \$100 of assessed valuation of taxable property within the District. This maintenance tax is to be used by the General Fund to pay expenditures of operating the District's waterworks and sanitary sewer system and for any other lawful purpose. During the year ended December 31, 2023, the District levied an ad valorem maintenance tax rate of \$0.3323 per \$100 of assessed valuation, which resulted in a tax levy of \$3,494,455 on the adjusted taxable valuation of \$1,051,596,372 for the 2023 tax year.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 8. AGREEMENT WITH DEVELOPER**

On April 25, 1991, the districts that now form the District executed an agreement with Purcell, the Developer within the District at that time. The agreement provided for the purchase of a tract of land to be used for the surface water treatment plant at a price of \$25,000. The districts agreed to provide water on an interim basis up to 24,000,000 gallons a year at a cost of \$0.22 per 1,000 gallons of water used by the Newport Country Club Golf Course.

On June 30, 1999, the District executed a First Amendment to Agreement with Stonebridge Properties Corporation (the “Developer”), as successor in interest to Newport Partners and Purcell. The Developer agreed to fund the cost of the distribution line to provide water from a point of connection to the golf course and obtain approval of the San Jacinto River Authority at no cost to the District. The Developer will have a credit applied against the cost of water supplied to the golf course consisting of the \$25,000 original cost of the land plus compounded interest of \$27,032 from the original contract date to present. Future credits are as follows:

Fiscal Year	Principal	Interest	Total
2024	<u>\$ 3,618</u>	<u>\$ 326</u>	<u>\$ 3,944</u>

In certain years, the Developer has taken water in amounts that are less than the total yearly credit amount, and in other years, the Developer has taken water in amounts that are more than the total credit amount. The District’s requirement to provide raw water at its cost will terminate at the earlier of the payout schedule listed above or December 31, 2030.

**NOTE 9. STANDBY CHARGES**

In a prior fiscal year, the District imposed a standby fee on undeveloped property within the District. The District no longer imposes standby fees. The following is a summary of standby fee transactions for the fiscal year ended December 31, 2023.

Standby Fees Receivable – January 1, 2023	\$ 140,991
Less: Current Year Collections	<u>-0-</u>
Standby Fees Receivable – December 31, 2023	<u>\$ 140,991</u>



**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 10. RISK MANAGEMENT**

The District is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; and natural disasters. The District carries commercial insurance for its fidelity bonds and participates in the Texas Municipal League Intergovernmental Risk Pool (TML) to provide property, general liability, automobile, boiler and machinery, errors and omissions and workers compensation coverage. The District, along with other participating entities, contributes annual amounts determined by TML’s management. As claims arise they are submitted and paid by TML. There have been no significant reductions in coverage from the prior year and settlements have not exceeded coverage in the past three years.

**NOTE 11. UNREIMBURSED COSTS**

The District has executed Water, Sewer and Drainage Improvement Financing and Construction Contracts with Developers within the District. These agreements provide for the Developers to advance funds for the contribution of certain facilities with the agreement that the District will use its best efforts to issue, sell and deliver its bonds on the best available terms as soon as reasonably practical and use the proceeds to reimburse the costs incurred by the Developers. The District will not initiate a sale of bonds to pay the reimbursable costs until the District receives the advice of its financial advisor that two tests are met: 1) the sale of bonds will not necessitate the increase in the District’s debt service tax rate beyond certain set amounts, and 2) the assessed valuation of the project and all taxable improvements constructed would independently support the issuance of bonds in one or more series to pay the Developers. The District will apply certain formulas to determine when the District is obligated to issue bonds for the purpose of reimbursing the Developers. The amount to be reimbursed to the Developers is limited by certain financial tests in the contracts and rules of the Commission and may not be the full amount expended by the Developers on behalf of the District.

The following table presents a summary of due to developer transactions for the current year:

Due to Developer – January 1, 2023	\$ 2,068,637
Plus: Current Year Additions	306,899
Less: Current Year Payments	<u>(2,375,536)</u>
Due to Developer – December 31, 2023	<u>\$ -0-</u>

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 12. WATER SUPPLY CONTRACT**

On April 17, 2008, the District entered into a Water Supply Contract (“Contract”) with the San Jacinto River Authority (the “Authority”). The Contract states the Authority will provide up to 1,850,000 gallons of untreated surface water per day (“demand quantity”) to the District. The District is obligated to pay the Authority for an average daily quantity equal to the demand quantity, whether actually taken by the District or not, at the applicable rate per 1,000 gallons. The rate as of December 31, 2023, was \$0.545 per 1,000 gallons. During the current fiscal year, the District paid \$376,270 for water purchased in accordance with the Contract. The Contract is in effect for a term of 40 years commencing May 1, 2008.

**NOTE 13. DEFINED AREA NO. 1 AND DEFINED AREA NO. 2**

At an election held on May 6, 2017, District voters authorized the establishment of Defined Area No. 1 within the District, issuance of new money bonds to benefit the Defined Area No. 1 in the maximum amount of \$50,000,000 to be used for water, sewer and drainage system improvements, and the levy and collection of a maintenance tax upon all taxable property within the Defined Area No. 1. During the year ended December 31, 2023, the District levied an ad valorem maintenance tax rate for the Defined Area No. 1 of \$0.7977 per \$100 of assessed valuation, which resulted in a tax levy of \$31,833 on the adjusted taxable valuation of \$3,990,545 for the 2023 tax year.

At an election held on November 8, 2022, District voters authorized the establishment of Defined Area No. 2 within the District, issuance of new money bonds to benefit the Defined Area No. 2 in the maximum amount of \$55,000,000 to be used for water, sewer and drainage system improvements, and issuance of refunding bonds of \$18,350,000 for the Defined Area No. 2. At an election held on May 6, 2023, District voters approved an operation and maintenance tax at an unlimited rate upon all taxable property within the Defined Area No. 2. During the year ended December 31, 2023, no ad valorem maintenance tax rate was levied for the Defined Area No. 2.

**NOTE 14. LEASE AGREEMENTS**

On January 1, 1997, the District entered into a Site Agreement to lease property to a third party for the purpose of constructing and operating a communication facility, including tower structures and related equipment. The term of this Site Agreement was December 31, 2001, with four five-year renewal option periods. On August 16, 2018, the District entered into the First Amendment to Site Agreement which extended the term of the lease for another five additional five-year renewal option periods. Quarterly payments are expected to range from \$5,658 to \$11,166 for the 96 quarters from fiscal years 2023 to 2046 which encompasses an annual rent expense increase of 3.00% each year. The expected lease termination is December 31, 2046. The discount rate used to calculate the lease receivable and related deferred inflow was 3.00%.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 14. LEASE AGREEMENTS (Continued)**

On November 28, 2007, the District entered into a Communications Facilities License Agreement (“CFLA”) to provide a third party with facilities for housing and operating certain communications equipment. The term of the CFLA is ten years with four additional five-year option renewal periods. Monthly payments are expected to range from \$1,981 to \$3,431 for the 180 months from fiscal year 2023 to 2037 which encompasses an annual rent expense increase of 4.00% each year. The expected lease termination is December 31, 2037. The discount rate used to calculate the lease receivable and related deferred inflow was 4.00%.

These agreements are both required to be recorded in the financial statements in accordance with GASB Statement No. 87 which was implemented in the current fiscal year. Deferred inflows of resources related to lease revenues was \$878,345 as of the beginning of the current fiscal year (the date of implementation of GASB Statement No. 87). The District recognized lease revenue of \$45,279 during the current fiscal year which resulted in a year-end balance for deferred inflows of resources of \$833,066.

The changes in lease receivable during the current fiscal year are summarized in the following table:

Lease Receivable, January 1, 2023	\$	878,345
Add: Lease Receivable Additions		
Less: Lease Principal Received		(16,840)
Lease Receivable, December 31, 2023	\$	861,505

Future payments to be received by the District under the terms of the two leases are summarized in the following table:

Fiscal Year	Principal	Interest	Total
2024	\$ 19,110	\$ 28,923	\$ 48,033
2025	21,524	28,198	49,722
2026	24,087	27,383	51,470
2027	26,808	26,473	53,281
2028	29,696	25,463	55,159
2029-2033	198,232	108,157	306,389
2034-2038	257,212	64,513	321,725
2039-2043	160,908	31,901	192,809
2044-2046	123,928	6,200	130,128
	\$ 861,505	\$ 347,211	\$ 1,208,716

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

**NOTE 15. WATER AND WASTEWATER TREATMENT AGREEMENTS**

The District has entered into a Water Supply Agreement with Harris County Municipal Utility District No. 578 (“District No. 578”) to provide water to District No. 578. District No. 578 is required to construct a water supply line and related facilities from the District to District No. 578. The District is obligated to provide up to, but not more than, 350 ESFCs to District No. 578. The District could need to expand the surface water treatment plant earlier than would otherwise be necessary as a result of the Agreement with District No. 578. Pursuant to such Water Supply Agreement with District No. 578, District No. 578 is obligated to pay the District a total of \$1,262 per ESFCs in two equal installments and to make monthly payments for water at 150% of the in-District rate. During the current fiscal year, there were no payments from District No. 578 paid the District in relation to this Agreement. The next surface water treatment plant expansion is currently planned for 2025.

The District has also entered into a Wastewater Treatment Agreement with Harris County Municipal Utility District No. 578 to provide wastewater service to District No. 578. District No. 578 is required to construct a sewer line and related facilities from the District to District No. 578. The District is obligated to provide up to, but not more than, 350 ESFCs to District No. 578. The District could need to expand the wastewater treatment plant earlier than would otherwise be necessary as a result of the Agreement with District No. 578. District No. 578 is obligated to pay the District a total of \$1,738 per ESFCs in two equal installments and to make monthly payments for sewer at 150% of the in-District rate. During the current fiscal year, there were no payments from District No. 578 paid the District in relation to this Agreement. The next wastewater treatment plant expansion is currently planned for 2025.

**NOTE 16. UNEARNED REVENUE**

In September 2020, the District received \$4,500,000 for a non-taxable entity tap fee. The tap fee was calculated based on the assessed value of certain tracts totaling \$37,500,000 and a tax rate of \$0.60 per \$100 assessed valuation. The tap fee was calculated by multiplying the assessed value of the tracts by the tax rate by the number of years left to retire all of the District’s outstanding bonds at the time the exemption was granted by the appraisal district. The District recognized revenue of \$225,000 in the current fiscal year which resulted in a year end balance of unearned revenue of \$3,825,000. Unearned revenue of \$225,000 per year will continue to be recognized each year for the next 17 years.

**NEWPORT MUNICIPAL UTILITY DISTRICT**

**REQUIRED SUPPLEMENTARY INFORMATION**

**DECEMBER 31, 2023**



**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES**  
**IN FUND BALANCE - BUDGET AND ACTUAL - GENERAL FUND**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

	<u>Original and Final Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>
<b>REVENUES</b>			
Property Taxes	\$ 3,211,381	\$ 3,276,407	\$ 65,026
Water Service	2,160,000	2,461,028	301,028
Wastewater Service	2,520,000	2,980,681	460,681
San Jacinto River Authority Fees	144,000	197,052	53,052
Penalty and Interest	100,020	129,778	29,758
Tap Connection and Inspection Fees	420,000	557,606	137,606
Groundwater Credits	278,994	397,034	118,040
Investment and Miscellaneous Revenues	<u>618,924</u>	<u>1,043,126</u>	<u>424,202</u>
<b>TOTAL REVENUES</b>	<b><u>\$ 9,453,319</u></b>	<b><u>\$ 11,042,712</u></b>	<b><u>\$ 1,589,393</u></b>
<b>EXPENDITURES</b>			
Service Operations:			
Professional Fees	\$ 423,000	\$ 532,328	\$ (109,328)
Contracted Services	3,548,694	3,497,793	50,901
Purchased Water Service	368,015	376,270	(8,255)
Utilities	194,491	281,262	(86,771)
Repairs and Maintenance	1,352,400	1,199,809	152,591
Other	974,760	837,061	137,699
Capital Outlay	<u>        </u>	<u>623,701</u>	<u>(623,701)</u>
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 6,861,360</u></b>	<b><u>\$ 7,348,224</u></b>	<b><u>\$ (486,864)</u></b>
<b>NET CHANGE IN FUND BALANCE</b>	<b>\$ 2,591,959</b>	<b>\$ 3,694,488</b>	<b>\$ 1,102,529</b>
<b>FUND BALANCE - JANUARY 1, 2023</b>	<u>16,480,425</u>	<u>16,480,425</u>	<u>        </u>
<b>FUND BALANCE - DECEMBER 31, 2023</b>	<b><u>\$ 19,072,384</u></b>	<b><u>\$ 20,174,913</u></b>	<b><u>\$ 1,102,529</u></b>

See accompanying independent auditor's report.

**THIS PAGE INTENTIONALLY LEFT BLANK**



**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**SUPPLEMENTARY INFORMATION – REQUIRED BY THE**  
**WATER DISTRICT FINANCIAL MANAGEMENT GUIDE**  
**DECEMBER 31, 2023**



**NEWPORT MUNICIPAL UTILITY DISTRICT  
SERVICES AND RATES  
FOR THE YEAR ENDED DECEMBER 31, 2023**

**1. SERVICES PROVIDED BY THE DISTRICT DURING THE FISCAL YEAR:**

<u>X</u>	Retail Water	_____	Wholesale Water	<u>X</u>	Drainage
<u>X</u>	Retail Wastewater	_____	Wholesale Wastewater	_____	Irrigation
<u>X</u>	Parks/Recreation	_____	Fire Protection	_____	Security
<u>X</u>	Solid Waste/Garbage	_____	Flood Control	_____	Roads
_____	Participates in joint venture, regional system and/or wastewater service (other than emergency interconnect)				
_____	Other (specify): _____				

**2. RETAIL SERVICE PROVIDERS**

**a. RETAIL RATES FOR A 5/8" METER (OR EQUIVALENT):**

The following rates are based on the rate order effective July 1, 2023.

	<u>Minimum Charge</u>	<u>Minimum Usage</u>	<u>Flat Rate Y/N</u>	<u>Rate per 1,000 Gallons over Minimum Use</u>	<u>Usage Levels</u>
WATER:	\$ 35.15	4,000	N	\$ 2.80	4,001 and up
WASTEWATER:	\$ 46.20	4,000	N	\$ 2.20	4,001 and up
SURCHARGE:					
Solid Waste/ Garbage	Included in wastewater charges				
San Jacinto River Authority	\$0.545 per 1,000 gallons				

District employs winter averaging for wastewater usage? \_\_\_\_\_ X  
Yes                      No

Total monthly charges per 10,000 gallons usage: Water: \$51.95 Wastewater: \$59.40 Surcharge : \$5.45

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
SERVICES AND RATES  
FOR THE YEAR ENDED DECEMBER 31, 2023**

**2. RETAIL SERVICE PROVIDERS (Continued)**

**b. WATER AND WASTEWATER RETAIL CONNECTIONS: (Unaudited)**

<u>Meter Size</u>	<u>Total Connections</u>	<u>Active Connections</u>	<u>ESFC Factor</u>	<u>Active ESFCs</u>
Unmetered			x 1.0	
≤¾"	4,356	4,294	x 1.0	4,294
1"	30	30	x 2.5	75
1½"	4	4	x 5.0	20
2"	16	16	x 8.0	128
3"	3	3	x 15.0	45
4"	2	2	x 25.0	50
6"	2	2	x 50.0	100
8"	5	5	x 80.0	400
10"			x 115.0	
Total Water Connections	<u>4,418</u>	<u>4,356</u>		<u>5,112</u>
Total Wastewater Connections	<u>4,361</u>	<u>4,299</u>	x 1.0	<u>4,299</u>

**3. TOTAL WATER CONSUMPTION DURING THE FISCAL YEAR ROUNDED TO THE NEAREST THOUSAND: (Unaudited)**

Gallons pumped into system:	466,339,000	Water Accountability Ratio: 86% (Gallons billed and sold/ Gallons pumped)
Gallons billed to customers:	390,508,000	
Gallons Purchased:	478,719,000	From: San Jacinto River Authority
Total Gallons sold:	12,614,000	To: Harris County MUD No. 578

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
SERVICES AND RATES  
FOR THE YEAR ENDED DECEMBER 31, 2023**

**4. STANDBY FEES** \*\*(authorized only under TWC Section 49.231):

Does the District have Debt Service standby fees?                      Yes       No

Does the District have Operation and Maintenance standby fees?    Yes       No

\*\*      The District no longer assesses standby fees, but is still collecting fees due from prior years.

**5. LOCATION OF DISTRICT:**

Is the District located entirely within one county?

Yes                       No

County in which District is located:

Harris County, Texas

Is the District located within a city?

Entirely                       Partly                       Not at all

Is the District located within a city's extraterritorial jurisdiction (ETJ)?

Entirely                       Partly                       Not at all

ETJ in which District is located:

City of Houston, Texas

Are Board Members appointed by an office outside the District?

Yes                       No

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**GENERAL FUND EXPENDITURES**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

PROFESSIONAL FEES:	
Auditing	\$ 22,000
Engineering	399,408
Legal	<u>110,920</u>
TOTAL PROFESSIONAL FEES	<u>\$ 532,328</u>
PURCHASED WATER SERVICE	<u>\$ 376,270</u>
CONTRACTED SERVICES:	
Bookkeeping	\$ 50,664
Operations and Billing	2,655,248
Solid Waste Disposal	<u>791,881</u>
TOTAL CONTRACTED SERVICES	<u>\$ 3,497,793</u>
UTILITIES	<u>\$ 281,262</u>
REPAIRS AND MAINTENANCE	<u>\$ 1,199,809</u>
ADMINISTRATIVE EXPENDITURES:	
Director Fees, Including Payroll Taxes and Administration	\$ 36,855
Insurance	65,760
Dues, Office, Website, and Other	<u>49,198</u>
TOTAL ADMINISTRATIVE EXPENDITURES	<u>\$ 151,813</u>
CAPITAL OUTLAY	<u>\$ 623,701</u>
TAP CONNECTIONS	<u>\$ 133,750</u>
OTHER EXPENDITURES:	
Chemicals	\$ 316,857
Monitoring and Testing	44,513
Laboratory Fees	18,762
Permit Fees	25,910
Regulatory Assessment	26,918
Sludge Hauling	<u>113,258</u>
TOTAL OTHER EXPENDITURES	<u>\$ 546,218</u>
DEBT SERVICE:	
Note Principal	\$ 4,545
Note Interest	<u>735</u>
NOTE PRINCIPAL AND INTEREST	<u>\$ 5,280</u>
TOTAL EXPENDITURES	<u>\$ 7,348,224</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**INVESTMENTS**  
**DECEMBER 31, 2023**

Funds	Identification or Certificate Number	Interest Rate	Maturity Date	Balance at End of Year	Accrued Interest Receivable at End of Year
<u>GENERAL FUND</u>					
TexPool	XXXX0002	Varies	Daily	\$ 1,046	\$
Texas CLASS	XXXX0001	Varies	Daily	19,274,583	
Texas CLASS	XXXX0004	Varies	Daily	<u>66,672</u>	
TOTAL GENERAL FUND				<u>\$ 19,342,301</u>	<u>\$ -0-</u>
<u>DEBT SERVICE FUND</u>					
TexPool	XXXX0001	Varies	Daily	\$ 521	\$
Texas CLASS	XXXX0002	Varies	Daily	<u>2,053,168</u>	
TOTAL DEBT SERVICE FUND				<u>\$ 2,053,689</u>	<u>\$ -0-</u>
<u>CAPITAL PROJECTS FUND</u>					
Texas CLASS	XXXX0003	Varies	Daily	\$ 8,680,090	\$
Texas CLASS	XXXX0005	Varies	Daily	531,848	
Texas CLASS	XXXX0006	Varies	Daily	<u>8,698,533</u>	
TOTAL CAPITAL PROJECTS FUND				<u>\$ 17,910,471</u>	<u>\$ -0-</u>
TOTAL - ALL FUNDS				<u><u>\$ 39,306,461</u></u>	<u><u>\$ -0-</u></u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**TAXES LEVIED AND RECEIVABLE**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

	Maintenance Taxes Including Taxes Levied for Defined Area No. 1		Debt Service Taxes	
TAXES RECEIVABLE -				
JANUARY 1, 2023	\$ 1,126,968		\$ 837,083	
Adjustments to Beginning				
Balance	<u>(2,400)</u>	\$ 1,124,568	<u>(3,039)</u>	\$ 834,044
Original 2023 Tax Levy	\$ 3,282,426		\$ 2,645,893	
Adjustment to 2023 Tax Levy	<u>243,862</u>	<u>3,526,288</u>	<u>193,417</u>	<u>2,839,310</u>
TOTAL TO BE				
ACCOUNTED FOR		\$ 4,650,856		\$ 3,673,354
TAX COLLECTIONS:				
Prior Years	\$ 1,060,787		\$ 768,675	
Current Year	<u>626,515</u>	<u>1,687,302</u>	<u>509,055</u>	<u>1,277,730</u>
TAXES RECEIVABLE -				
DECEMBER 31, 2023		<u>\$ 2,963,554</u>		<u>\$ 2,395,624</u>
TAXES RECEIVABLE BY				
YEAR:				
2023		\$ 2,899,773		\$ 2,330,255
2022		23,203		17,036
2021		11,281		13,887
2020		6,752		5,929
2019		4,914		4,496
2018		3,924		3,544
2017		3,433		3,319
2016		3,606		3,288
2015		2,151		2,402
2014 and Prior		<u>4,517</u>		<u>11,468</u>
TOTAL		<u>\$ 2,963,554</u>		<u>\$ 2,395,624</u>

See accompanying independent auditor's report.



**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**TAXES LEVIED AND RECEIVABLE**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

	2023	2022	2021	2020
<b>PROPERTY VALUATIONS - DISTRICT:</b>				
Land	\$ 243,812,165	\$ 201,526,931	\$ 177,099,940	\$ 162,728,728
Improvements	971,658,500	870,978,535	693,806,206	629,692,453
Personal Property	11,104,507	9,309,475	7,567,352	7,805,002
Exemptions	<u>(174,978,800)</u>	<u>(144,075,436)</u>	<u>(78,069,697)</u>	<u>(77,255,915)</u>
<b>TOTAL DISTRICT</b>	<u><u>\$ 1,051,596,372</u></u>	<u><u>\$ 937,739,505</u></u>	<u><u>\$ 800,403,801</u></u>	<u><u>\$ 722,970,268</u></u>
<b>PROPERTY VALUATIONS - DEFINED AREA NO. 1:</b>				
Land	\$ 5,199,085	\$ 3,192,232	\$ 5,172,900	\$ 2,586,450
Improvements				17,655
Personal Property	278			
Exemptions	<u>(1,208,818)</u>		<u>(2,586,450)</u>	
<b>TOTAL DEFINED AREA NO. 1</b>	<u><u>\$ 3,990,545</u></u>	<u><u>\$ 3,192,232</u></u>	<u><u>\$ 2,586,450</u></u>	<u><u>\$ 2,604,105</u></u>
<b>TAX RATES PER \$100 VALUATION:</b>				
<b>DISTRICT:</b>				
Debt Service	\$ 0.2700	\$ 0.2550	\$ 0.3400	\$ 0.2800
Maintenance	<u>0.3323</u>	<u>0.3473</u>	<u>0.2762</u>	<u>0.3189</u>
<b>TOTAL DISTRICT</b>	<u><u>\$ 0.6023</u></u>	<u><u>\$ 0.6023</u></u>	<u><u>\$ 0.6162</u></u>	<u><u>\$ 0.5989</u></u>
<b>DEFINED AREA NO. 1:</b>				
Maintenance	<u><u>\$ 0.7977</u></u>	<u><u>\$ 0.7977</u></u>	<u><u>\$ 0.7838</u></u>	<u><u>\$ 0.6511</u></u>
<b>ADJUSTED TAX LEVY: *</b>				
<b>DISTRICT</b>	<u><u>\$ 6,333,765</u></u>	<u><u>\$ 5,648,004</u></u>	<u><u>\$ 4,932,088</u></u>	<u><u>\$ 4,329,869</u></u>
<b>DEFINED AREA NO. 1</b>	<u><u>\$ 31,833</u></u>	<u><u>\$ 25,464</u></u>	<u><u>\$ 20,273</u></u>	<u><u>\$ 16,955</u></u>
<b>PERCENTAGE OF TAXES COLLECTED TO TAXES LEVIED</b>	<u><u>17.84 %</u></u>	<u><u>99.29 %</u></u>	<u><u>99.49 %</u></u>	<u><u>99.71 %</u></u>

\* Based upon the adjusted tax levy at the time of the audit for the fiscal year in which the tax was levied.

Maintenance Tax – Maximum tax rate of \$1.00 per \$100 of assessed valuation approved by voters on May 2, 1998.

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 1 3 R E F U N D I N G

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$ 575,000	\$ 33,469	\$ 608,469
2025	605,000	11,344	616,344
2026			
2027			
2028			
2029			
2030			
2031			
2032			
2033			
2034			
2035			
2036			
2037			
2038			
2039			
2040			
2041			
2042			
2043			
2044			
2045			
2046			
2047			
2048			
	<u>\$ 1,180,000</u>	<u>\$ 44,813</u>	<u>\$ 1,224,813</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 1 6 R E F U N D I N G

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$ 345,000	\$ 84,700	\$ 429,700
2025	360,000	70,600	430,600
2026	375,000	55,900	430,900
2027	385,000	40,700	425,700
2028	405,000	24,900	429,900
2029	420,000	8,400	428,400
2030			
2031			
2032			
2033			
2034			
2035			
2036			
2037			
2038			
2039			
2040			
2041			
2042			
2043			
2044			
2045			
2046			
2047			
2048			
	<u>\$ 2,290,000</u>	<u>\$ 285,200</u>	<u>\$ 2,575,200</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 1 6 A

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$	\$ 134,681	\$ 134,681
2025		134,681	134,681
2026	280,000	131,706	411,706
2027	295,000	125,597	420,597
2028	310,000	119,169	429,169
2029	325,000	112,422	437,422
2030	340,000	105,356	445,356
2031	360,000	97,919	457,919
2032	375,000	89,875	464,875
2033	395,000	80,966	475,966
2034	415,000	71,088	486,088
2035	435,000	60,463	495,463
2036	455,000	49,338	504,338
2037	480,000	37,350	517,350
2038	505,000	23,475	528,475
2039	530,000	7,950	537,950
2040			
2041			
2042			
2043			
2044			
2045			
2046			
2047			
2048			
	<u>\$ 5,500,000</u>	<u>\$ 1,382,036</u>	<u>\$ 6,882,036</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 1 8

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$	\$ 139,938	\$ 139,938
2025		139,938	139,938
2026	100,000	138,438	238,438
2027	100,000	135,438	235,438
2028	100,000	132,438	232,438
2029	50,000	130,187	180,187
2030	300,000	124,937	424,937
2031	300,000	115,750	415,750
2032	300,000	106,187	406,187
2033	300,000	96,437	396,437
2034	300,000	86,687	386,687
2035	300,000	76,937	376,937
2036	300,000	67,000	367,000
2037	300,000	56,875	356,875
2038	300,000	46,750	346,750
2039	300,000	36,437	336,437
2040	425,000	23,750	448,750
2041	450,000	8,156	458,156
2042			
2043			
2044			
2045			
2046			
2047			
2048			
	<u>\$ 4,225,000</u>	<u>\$ 1,662,280</u>	<u>\$ 5,887,280</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

SERIES - 2019 REFUNDING

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$ 280,000	\$ 42,900	\$ 322,900
2025	290,000	37,200	327,200
2026	305,000	31,250	336,250
2027	315,000	23,475	338,475
2028	285,000	14,475	299,475
2029	340,000	5,100	345,100
2030			
2031			
2032			
2033			
2034			
2035			
2036			
2037			
2038			
2039			
2040			
2041			
2042			
2043			
2044			
2045			
2046			
2047			
2048			
	<u>\$ 1,815,000</u>	<u>\$ 154,400</u>	<u>\$ 1,969,400</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 2 0 A

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$	\$ 192,668	\$ 192,668
2025		192,669	192,669
2026		192,669	192,669
2027		192,669	192,669
2028		192,669	192,669
2029		192,669	192,669
2030	395,000	188,225	583,225
2031	415,000	179,113	594,113
2032	435,000	169,550	604,550
2033	450,000	159,312	609,312
2034	470,000	148,387	618,387
2035	495,000	136,619	631,619
2036	515,000	123,994	638,994
2037	540,000	110,469	650,469
2038	565,000	95,966	660,966
2039	590,000	80,438	670,438
2040	615,000	63,869	678,869
2041	645,000	46,544	691,544
2042	670,000	28,463	698,463
2043	700,000	9,625	709,625
2044			
2045			
2046			
2047			
2048			
	<u>\$ 7,500,000</u>	<u>\$ 2,696,587</u>	<u>\$ 10,196,587</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 2 0 B			
Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$	\$ 36,481	\$ 36,481
2025		36,481	36,481
2026		36,481	36,481
2027		36,481	36,481
2028		36,481	36,481
2029		36,481	36,481
2030	80,000	35,582	115,582
2031	85,000	33,725	118,725
2032	90,000	31,700	121,700
2033	95,000	29,504	124,504
2034	100,000	27,125	127,125
2035	105,000	24,563	129,563
2036	105,000	21,938	126,938
2037	110,000	19,113	129,113
2038	115,000	16,019	131,019
2039	120,000	12,787	132,787
2040	130,000	9,350	139,350
2041	135,000	5,706	140,706
2042	140,000	1,925	141,925
2043			
2044			
2045			
2046			
2047			
2048			
	\$ 1,410,000	\$ 487,923	\$ 1,897,923

See accompanying independent auditor's report.



**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 2 1

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$	\$ 458,050	\$ 458,050
2025		458,050	458,050
2026	575,000	445,113	1,020,113
2027	595,000	418,787	1,013,787
2028	615,000	399,250	1,014,250
2029	635,000	386,750	1,021,750
2030	660,000	373,800	1,033,800
2031	680,000	360,400	1,040,400
2032	705,000	346,550	1,051,550
2033	730,000	332,200	1,062,200
2034	755,000	317,350	1,072,350
2035	780,000	302,000	1,082,000
2036	810,000	286,100	1,096,100
2037	840,000	269,600	1,109,600
2038	865,000	252,550	1,117,550
2039	895,000	234,950	1,129,950
2040	1,100,000	215,000	1,315,000
2041	1,100,000	192,313	1,292,313
2042	1,350,000	166,281	1,516,281
2043	1,450,000	136,531	1,586,531
2044	1,900,000	100,937	2,000,937
2045	1,900,000	60,562	1,960,562
2046	1,900,000	20,188	1,920,188
2047			
2048			
	<u>\$ 20,840,000</u>	<u>\$ 6,533,312</u>	<u>\$ 27,373,312</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

S E R I E S - 2 0 2 3

Due During Fiscal Years Ending December 31	Principal Due April 1	Interest Due April 1/ October 1	Total
2024	\$	\$ 553,712	\$ 553,712
2025		535,850	535,850
2026	300,000	529,850	829,850
2027	300,000	517,850	817,850
2028	300,000	505,850	805,850
2029	300,000	493,850	793,850
2030	300,000	481,850	781,850
2031	300,000	469,850	769,850
2032	300,000	457,850	757,850
2033	300,000	445,850	745,850
2034	300,000	433,850	733,850
2035	300,000	421,850	721,850
2036	300,000	409,850	709,850
2037	300,000	397,850	697,850
2038	300,000	385,850	685,850
2039	300,000	373,663	673,663
2040	400,000	358,975	758,975
2041	400,000	341,725	741,725
2042	500,000	322,037	822,037
2043	600,000	297,975	897,975
2044	930,000	263,925	1,193,925
2045	1,000,000	220,500	1,220,500
2046	1,100,000	173,250	1,273,250
2047	1,650,000	111,375	1,761,375
2048	1,650,000	37,125	1,687,125
	<u>\$ 12,430,000</u>	<u>\$ 9,542,162</u>	<u>\$ 21,972,162</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**LONG-TERM DEBT SERVICE REQUIREMENTS**  
**DECEMBER 31, 2023**

ANNUAL REQUIREMENTS  
FOR ALL SERIES

Due During Fiscal Years Ending December 31	Total Principal Due	Total Interest Due	Total Principal and Interest Due
2024	\$ 1,200,000	\$ 1,676,599	\$ 2,876,599
2025	1,255,000	1,616,813	2,871,813
2026	1,935,000	1,561,407	3,496,407
2027	1,990,000	1,490,997	3,480,997
2028	2,015,000	1,425,232	3,440,232
2029	2,070,000	1,365,859	3,435,859
2030	2,075,000	1,309,750	3,384,750
2031	2,140,000	1,256,757	3,396,757
2032	2,205,000	1,201,712	3,406,712
2033	2,270,000	1,144,269	3,414,269
2034	2,340,000	1,084,487	3,424,487
2035	2,415,000	1,022,432	3,437,432
2036	2,485,000	958,220	3,443,220
2037	2,570,000	891,257	3,461,257
2038	2,650,000	820,610	3,470,610
2039	2,735,000	746,225	3,481,225
2040	2,670,000	670,944	3,340,944
2041	2,730,000	594,444	3,324,444
2042	2,660,000	518,706	3,178,706
2043	2,750,000	444,131	3,194,131
2044	2,830,000	364,862	3,194,862
2045	2,900,000	281,062	3,181,062
2046	3,000,000	193,438	3,193,438
2047	1,650,000	111,375	1,761,375
2048	1,650,000	37,125	1,687,125
	<u>\$ 57,190,000</u>	<u>\$ 22,788,713</u>	<u>\$ 79,978,713</u>

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**CHANGES IN LONG-TERM BOND DEBT**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

Description	Original Bonds Issued	Bonds Outstanding January 1, 2023
Newport Municipal Utility District Waterworks and Sewer System Combination Unlimited Tax and Revenue Refunding Bonds - Series 2013	\$ 5,295,000	\$ 1,730,000
Newport Municipal Utility District Waterworks and Sewer System Combination Unlimited Tax and Revenue Refunding Bonds - Series 2016	3,535,000	2,620,000
Newport Municipal Utility District Unlimited Tax Bonds - Series 2016A	5,500,000	5,500,000
Newport Municipal Utility District Unlimited Tax Bonds - Series 2018	4,225,000	4,225,000
Newport Municipal Utility District Unlimited Tax Refunding Bonds - Series 2019	2,720,000	2,085,000
Newport Municipal Utility District Unlimited Tax Bonds - Series 2020A	7,500,000	7,500,000
Newport Municipal Utility District Unlimited Tax Park Bonds - Series 2020B	1,410,000	1,410,000
Newport Municipal Utility District Unlimited Tax Bonds - Series 2021	20,840,000	20,840,000
Newport Municipal Utility District Unlimited Tax Bonds - Series 2023	<u>12,430,000</u>	<u>                    </u>
<b>TOTAL</b>	<u><u>\$ 63,455,000</u></u>	<u><u>\$ 45,910,000</u></u>

See accompanying independent auditor's report.

<u>Current Year Transactions</u>				
<u>Bonds Sold</u>	<u>Retirements</u>		<u>Bonds Outstanding December 31, 2023</u>	<u>Paying Agent</u>
	<u>Principal</u>	<u>Interest</u>		
\$	\$ 550,000	\$ 53,875	\$ 1,180,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
	330,000	96,550	2,290,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
		134,681	5,500,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
		139,938	4,225,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
	270,000	48,400	1,815,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
		192,668	7,500,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
		36,481	1,410,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
		458,051	20,840,000	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
<u>12,430,000</u>			<u>12,430,000</u>	The Bank of New York Mellon Trust Company, N.A. Dallas, TX
<u>\$ 12,430,000</u>	<u>\$ 1,150,000</u>	<u>\$ 1,160,644</u>	<u>\$ 57,190,000</u>	

See accompanying independent auditor's report.

**THIS PAGE INTENTIONALLY LEFT BLANK**

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**CHANGES IN LONG-TERM BOND DEBT**  
**FOR THE YEAR ENDED DECEMBER 31, 2023**

Bond Authority:	<u>Tax Bonds</u>	<u>Park Bonds</u>	<u>Defined Area No. 1 Tax Bonds</u>	<u>Defined Area No. 2 Tax Bonds</u>
Amount Authorized by Voters	\$112,110,000	\$ 5,000,000	\$ 50,000,000	\$ 55,000,000
Amount Issued	<u>84,330,000</u>	<u>5,000,000</u>	<u>                    </u>	<u>                    </u>
Remaining to be Issued	<u>\$ 27,780,000</u>	<u>\$ - 0 -</u>	<u>\$ 50,000,000</u>	<u>\$ 55,000,000</u>

Debt Service Fund cash and investment balances as of December 31, 2023:	<u>\$ 3,110,613</u>
Average annual debt service payment (principal and interest) for remaining term of all debt:	<u>\$ 3,199,149</u>

See Note 3 for interest rates, interest payment dates and maturity dates.

Note: The District also has authorization to issue refunding utility bonds as well as Defined Area No. 2 refunding bonds.

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**COMPARATIVE SCHEDULE OF REVENUES AND EXPENDITURES**  
**GENERAL FUND - FIVE YEARS**

	Amounts		
	2023	2022	2021
<b>REVENUES</b>			
Property Taxes	\$ 3,276,407	\$ 2,247,056	\$ 2,371,145
Water Service	2,461,028	2,561,512	1,802,678
Wastewater Service	2,980,681	2,766,567	2,632,301
San Jacinto River Authority Fees	197,052	169,730	142,313
Capital Project Base Fees		555,000	
Penalty and Interest	129,778	103,944	81,396
Tap Connection and Inspection Fees	557,606	73,625	625,217
Groundwater Credits	397,034	321,260	323,222
Capital Contributions			
Grant Revenues		879,695	
Payment in Lieu of Taxes			
Investment and Miscellaneous Revenues	1,043,126	367,836	117,004
<b>TOTAL REVENUES</b>	<b>\$ 11,042,712</b>	<b>\$ 10,046,225</b>	<b>\$ 8,095,276</b>
<b>EXPENDITURES</b>			
Professional Fees	\$ 532,328	\$ 431,560	\$ 411,334
Contracted Services	3,497,793	3,462,406	3,399,581
Purchased Water Service	376,270	344,378	334,249
Utilities	281,262	194,795	219,113
Repairs and Maintenance	1,199,809	1,229,231	1,098,928
Bad Debt Expense			
Other	831,781	696,120	697,381
Capital Outlay	623,701		186,928
Note Principal and Interest	5,280	5,280	5,280
<b>TOTAL EXPENDITURES</b>	<b>\$ 7,348,224</b>	<b>\$ 6,363,770</b>	<b>\$ 6,352,794</b>
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>	<b>\$ 3,694,488</b>	<b>\$ 3,682,455</b>	<b>\$ 1,742,482</b>
<b>OTHER FINANCING SOURCES</b>			
Transfer In	\$	\$	\$ 250,525
Insurance Proceeds		52,274	189,540
<b>TOTAL OTHER FINANCING SOURCES</b>	<b>\$ - 0 -</b>	<b>\$ 52,274</b>	<b>\$ 440,065</b>
<b>NET CHANGE IN FUND BALANCE</b>	<b>\$ 3,694,488</b>	<b>\$ 3,734,729</b>	<b>\$ 2,182,547</b>
<b>BEGINNING FUND BALANCE</b>	16,480,425	12,745,696	10,563,149
<b>ENDING FUND BALANCE</b>	<b>\$ 20,174,913</b>	<b>\$ 16,480,425</b>	<b>\$ 12,745,696</b>

See accompanying independent auditor's report.



		Percentage of Total Revenues				
2020	2019	2023	2022	2021	2020	2019
\$ 2,076,309	\$ 1,828,858	29.7 %	22.4 %	29.3 %	15.9 %	25.6 %
1,775,184	1,699,135	22.3	25.5	22.3	13.6	23.8
2,163,939	2,010,003	27.0	27.5	32.5	16.7	28.1
140,904	128,869	1.8	1.7	1.8	1.1	1.8
1,322,956	127,101		5.5		10.2	1.8
58,983	106,254	1.2	1.0	1.0	0.5	1.5
533,543	369,062	5.0	0.7	7.7	4.1	5.2
283,398	359,764	3.6	3.2	4.0	2.2	5.0
	250,000					3.5
			8.8			
4,500,000					34.7	
<u>125,222</u>	<u>267,113</u>	<u>9.4</u>	<u>3.7</u>	<u>1.4</u>	<u>1.0</u>	<u>3.7</u>
\$ <u>12,980,438</u>	\$ <u>7,146,159</u>	<u>100.0 %</u>	<u>100.0 %</u>	<u>100.0 %</u>	<u>100.0 %</u>	<u>100.0 %</u>
\$ 576,927	\$ 591,422	4.9 %	4.4 %	5.2 %	4.5 %	8.4 %
3,335,931	3,307,327	31.7	34.5	42.0	25.8	46.3
325,008	301,886	3.4	3.4	4.1	2.5	4.2
193,241	196,190	2.5	1.9	2.7	1.5	2.7
1,065,822	1,499,805	10.9	12.2	13.6	8.2	21.0
599,665					4.6	
846,358	1,029,697	7.5	6.9	8.6	6.5	14.4
121,467	22,104	5.6		2.3	0.9	0.3
<u>5,280</u>	<u>5,280</u>		<u>0.1</u>	<u>0.1</u>		<u>0.1</u>
\$ <u>7,069,699</u>	\$ <u>6,953,711</u>	<u>66.5 %</u>	<u>63.4 %</u>	<u>78.6 %</u>	<u>54.5 %</u>	<u>97.4 %</u>
\$ <u>5,910,739</u>	\$ <u>192,448</u>	<u>33.5 %</u>	<u>36.6 %</u>	<u>21.4 %</u>	<u>45.5 %</u>	<u>2.6 %</u>
\$ <u>362,007</u>	\$ <u>153,232</u>					
\$ <u>362,007</u>	\$ <u>153,232</u>					
\$ 6,272,746	\$ 345,680					
<u>4,290,403</u>	<u>3,944,723</u>					
\$ <u>10,563,149</u>	\$ <u>4,290,403</u>					

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT**  
**COMPARATIVE SCHEDULE OF REVENUES AND EXPENDITURES**  
**DEBT SERVICE FUND - FIVE YEARS**

	Amounts		
	2023	2022	2021
<b>REVENUES</b>			
Property Taxes	\$ 2,396,062	\$ 2,740,033	\$ 2,069,871
Penalty and Interest	46,354	62,372	41,143
Investment and Miscellaneous Revenues	137,130	38,280	16,781
<b>TOTAL REVENUES</b>	<b>\$ 2,579,546</b>	<b>\$ 2,840,685</b>	<b>\$ 2,127,795</b>
<b>EXPENDITURES</b>			
Tax Collection Expenditures	\$ 124,469	\$ 112,530	\$ 123,007
Debt Service Principal	1,150,000	1,105,000	1,055,000
Debt Service Interest and Fees	1,167,144	1,256,978	772,344
Bond Issuance Costs			
<b>TOTAL EXPENDITURES</b>	<b>\$ 2,441,613</b>	<b>\$ 2,474,508</b>	<b>\$ 1,950,351</b>
<b>EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>\$ 137,933</b>	<b>\$ 366,177</b>	<b>\$ 177,444</b>
<b>OTHER FINANCING SOURCES (USES)</b>			
Proceeds of Refunding Bonds	\$	\$	\$
Payment to Refunded Bond Escrow Agent			
Bond Premium			
<b>TOTAL OTHER FINANCING SOURCES, NET</b>	<b>\$ - 0 -</b>	<b>\$ - 0 -</b>	<b>\$ - 0 -</b>
<b>NET CHANGE IN FUND BALANCE</b>	<b>\$ 137,933</b>	<b>\$ 366,177</b>	<b>\$ 177,444</b>
<b>BEGINNING FUND BALANCE</b>	1,907,934	1,541,757	1,364,313
<b>ENDING FUND BALANCE</b>	<b>\$ 2,045,867</b>	<b>\$ 1,907,934</b>	<b>\$ 1,541,757</b>
<b>TOTAL ACTIVE RETAIL WATER CONNECTIONS</b>	4,356	4,233	4,201
<b>TOTAL ACTIVE RETAIL WASTEWATER CONNECTIONS</b>	4,299	4,177	4,134

See accompanying independent auditor's report.

		Percentage of Total Revenues				
<u>2020</u>	<u>2019</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>
\$ 1,886,775	\$ 1,654,884	92.9 %	96.5 %	97.3 %	97.5 %	95.7 %
27,109	32,274	1.8	2.2	1.9	1.4	1.9
<u>22,166</u>	<u>40,619</u>	<u>5.3</u>	<u>1.3</u>	<u>0.8</u>	<u>1.1</u>	<u>2.4</u>
\$ <u>1,936,050</u>	\$ <u>1,727,777</u>	<u>100.0 %</u>	<u>100.0 %</u>	<u>100.0 %</u>	<u>100.0 %</u>	<u>100.0 %</u>
\$ 97,310	\$ 92,397	4.9 %	4.0 %	5.8 %	5.0 %	5.2 %
775,000	940,000	44.6	38.9	49.6	40.0	54.4
977,264	639,351	45.2	44.2	36.3	50.5	37.0
	<u>111,752</u>					<u>6.5</u>
\$ <u>1,849,574</u>	\$ <u>1,783,500</u>	<u>94.7 %</u>	<u>87.1 %</u>	<u>91.7 %</u>	<u>95.5 %</u>	<u>103.1 %</u>
\$ 86,476	\$ (55,723)	<u>5.3 %</u>	<u>12.9 %</u>	<u>8.3 %</u>	<u>4.5 %</u>	<u>(3.1) %</u>
\$	\$ 2,720,000					
	(2,730,054)					
	<u>118,430</u>					
\$ - 0 -	\$ <u>108,376</u>					
\$ 86,476	\$ 52,653					
<u>1,277,837</u>	<u>1,225,184</u>					
\$ <u>1,364,313</u>	\$ <u>1,277,837</u>					
<u>4,039</u>	<u>3,895</u>					
<u>3,982</u>	<u>3,830</u>					

See accompanying independent auditor's report.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
BOARD MEMBERS, KEY PERSONNEL AND CONSULTANTS  
DECEMBER 31, 2023**

District Mailing Address - Newport Municipal Utility District  
c/o Smith, Murdaugh, Little & Bonham, L.L.P.  
2727 Allen Parkway, Suite 1100  
Houston, TX 77019

District Telephone Number - (713) 652-6500

<b>Board Members</b>	Term of Office (Elected or Appointed)	Fees of Office for the year ended December 31, 2023	Expense Reimbursements for the year ended December 31, 2023	Title
Margarette Chasteen	05/20 05/24 (Elected)	\$ 7,200	\$ 1,961	President
DeLonne Johnson	05/22 05/26 (Elected)	\$ 6,307	\$ 2,110	Vice President
Deborah Florus	05/22 05/26 (Elected)	\$ 4,452	\$ 56	Secretary
Earl Boykin	05/22 05/26 (Elected)	\$ 6,102	\$ -0-	Assistant Secretary
Gary Hasse	05/20 05/24 (Elected)	\$ 7,200	\$ 162	Director

Notes: No Director has any business or family relationships (as defined by the Texas Water Code) with major landowners in the District, with the District’s developers or with any of the District’s consultants.

Submission date of most recent District Registration Form: June 13, 2022

The limit on Fees of Office that a Director may receive during a fiscal year is \$7,200 as set by Board Resolution on July 23, 2003. Fees of Office are the amounts actually paid to a Director during the District’s current fiscal year.

See accompanying independent auditor’s report.

**NEWPORT MUNICIPAL UTILITY DISTRICT  
BOARD MEMBERS, KEY PERSONNEL AND CONSULTANTS  
DECEMBER 31, 2023**

<b>Consultants:</b>	<u>Date Hired</u>	<u>Fees for the year ended December 31, 2023</u>	<u>Title</u>
Smith, Murdaugh, Little & Bonham, L.L.P.	08/01/98	\$ 113,669 \$ 326,828 \$ 839	General Counsel/ Bond Related/ Delinquent Tax Attorney
McCall Gibson Swedlund Barfoot PLLC	12/15/99	\$ 22,000 \$ 17,000	Auditor/ Bond Related
McLennan & Associates	03/24/04	\$ 57,323	Bookkeeper
Lockwood, Andrews and Newman, Inc.	02/21/19	\$ 2,112,569 \$ 63,859	Engineer/ Bond Related
Masterson Advisors	04/26/18	\$ 255,494	Financial Advisor
Jorge Diaz	01/26/17	\$ -0-	Investment Officer
Si Environmental (previously Professional Utility Services, Inc.)	08/01/98	\$ 3,301,203	Operator
Assessments of the Southwest	08/01/98	\$ 68,512	Tax Assessor/ Collector

See accompanying independent auditor's report.

