

RIVER PLANTATION MUNICIPAL UTILITY DISTRICT**NOTICE OF SPECIAL PUBLIC MEETING**

Notice is hereby given to all interested members of the public that the Board of Directors of the captioned district will hold a public meeting at **610 River Plantation Drive, Conroe, Texas 77302.**

The meeting will be held at **1:30 p.m. on Friday, February 4, 2022.**

The subject of the meeting is to consider and act on the following:

1. Receive comments from the Public
2. Resolution Authorizing the Submission of Bond Application
3. Engineering Matters; Capital Repairs; Design of Improvements



By: _____

J. Davis Bonham, Jr., Attorney for the District

RIVER PLANTATION MUNICIPAL UTILITY DISTRICT

Application for Approval by Texas Commission on Environmental Quality
of District's Projects and Issuance of \$7,310,000 of Bonds

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

Now comes River Plantation Municipal Utility District, hereinafter referred to as "Applicant" or "District," and files and presents this Application pursuant to Texas Water Code §49.181, as amended, and requests the Texas Commission on Environmental Quality ("Commission") to take such action thereon as provided by law and said section.

Bond Authority

Whereas, the Board of the District intends to enter a bond order or orders, in increments as needed, providing for the issuance of \$7,310,000 of bonds voted at an election held for and within the District on November 2, 2021, for the purposes of purchasing, constructing, acquiring, owning, operating, maintaining, repairing, improving and extending a water and sanitary sewer system, a surface water system, and sewage disposal facilities for the District and a drainage system for the drainage of lands within the District, and for paying fees or charges to any regional water authority or similar entity for charges or contributions lawfully levied on the District.

Application for Commission Approval of Project and Issuance of Bonds

Whereas, it is proper for the District to apply to the Commission to investigate, report upon and approve (1) the organization and feasibility of the District, (2) the District's Bond Application Report and data, profiles, maps and plans prepared in connection therewith, (3) the issuance of \$7,310,000 of District's bonds, (4) and the District's proposed improvements and purchase of facilities, and to make a full written report thereon and file same in its office and

furnish a copy to this Board and to do all other things required of it by law and Texas Water Code §49.181, as amended.

No Market Study Required

The District is not submitting herewith a current market study because the District is not using growth projections to support the feasibility of the bond issue and therefore no market study is required under 30 TAC §293.59(k)(10).

No Developer Contribution Required

Because the District's bond application contains only District projects, no developer contribution is required.

Miscellaneous

It is essential to the District's improvement program and progress and is in the best interests of the District that said bonds be approved by the Commission at this time.

Applicant prays as follows: that the Commission investigate, report upon and approve (1) said engineer's report and data, profiles, maps and plans prepared in connection therewith, (2) the issuance of the District's bonds in an amount of \$7,310,000, and (3) the District's proposed improvements and project; that the Commission make a full written report thereon, file same in the Commission's office and furnish a copy of same to the board of directors of said District; that the Commission do all other things required of it by law and said Texas Water Code §49.181, as amended, and 30 TAC §§293.41 – 293.43, in connection with this Application; and that Applicant have any other relief to which it may be entitled.

Dated this February 4, 2022.

Respectfully submitted,

RIVER PLANTATION MUNICIPAL UTILITY

“Applicant” or “District”

DISTRICT

ATTEST:

By: _____
Title: _____

Title: _____



SMITH, MURDAUGH, LITTLE & BONHAM,
L.L.P.

By: _____
J. Davis Bonham, Jr.
Attorneys for the District

I, the undersigned Secretary of the Board of Directors of River Plantation Municipal Utility District, hereby certify that the foregoing is a true and correct copy of the Application submitted to the Texas Commission on Environmental Quality by the District for approval of its engineering project and issuance of bonds, the original of which Application is on file in the Commission’s office in Austin, Texas.

Witness my hand and the official seal of said District, this February 4, 2022.

Title: _____



RIVER PLANTATION MUNICIPAL UTILITY DISTRICT

Order Authorizing Filing Application for
Approval of Texas Commission on Environmental Quality of
District's Projects and Issuance of \$7,310,000 of Bonds

The Board of Directors ("Board") of River Plantation Municipal Utility District ("District") met at the Board's special meeting on February 4, 2022, with a quorum of Directors present, as follows:

Julie Gilmer, President
Tim Goodman, Vice President
Gerard Smith, Secretary
Tom Vandever, Treasurer
Mark Robin, Assistant Secretary

and the following absent:

None

when the following business was transacted:

The order set out below was introduced for consideration of the Board. It was then duly moved and seconded that said order be adopted; and, after due discussion, said motion carried by the following votes:

Ayes: All Directors present

Noes: None

The order thus adopted is as follows:

Bond Order

Whereas, the Board of the District intends to enter a bond order or orders, in increments as needed, providing for the issuance of \$7,310,000 of bonds voted at an election held for and within the District on November 2, 2021, for the purposes of purchasing, constructing, acquiring, owning, operating, maintaining, repairing, improving and extending a water and sanitary sewer system, a surface water system, and sewage disposal facilities for the District and a drainage

system for the drainage of lands within the District, and for paying fees or charges to any regional water authority or similar entity for charges or contributions lawfully levied on the District.

Application for Commission Approval of Projects and Issuance of Bonds

Whereas, it is proper for the District to apply to the Texas Commission on Environmental Quality (“Commission”) to investigate, report upon and approve (1) the organization and feasibility of the District, (2) the District’s Bond Application Report and data, profiles, maps and plans prepared in connection therewith, (3) the issuance of District bonds in the amount of \$7,310,000, (4) and the District’s proposed improvements and purchase of facilities, and to make a full written report thereon and file same in its office and furnish a copy thereof to this Board and to do all other things required of it by law and Texas Water Code §49.181, as amended.

No Market Study Required

The District is not submitting herewith a current market study because the District is not using growth projections to support the feasibility of the bond issue and therefore no market study is required under 30 TAC §293.59(k)(10).

No Developer Contribution Required

Because the District’s bond application contains only District projects, no developer contribution is required.

THEREFORE, BE IT ORDERED by the Board of said District, as follows:

The District, pursuant to Texas Water Code, §49.181, as amended, shall file with the Texas Commission on Environmental Quality an Application praying for the foregoing action by said Commission, for its approval of the above described projects and bonds, and for any other

relief needed by the District. Said Application shall contain all allegations and information required by law and by the rules of the Commission.

The President or Vice President of and the Attorney for the District are, or either of them is, authorized to make and execute such Application on behalf of the District, to file same with the Commission, and to do all other things necessary or proper in connection with the Application and the obtaining of the action by and the approval of said Commission as set forth herein.

The President or Vice President is authorized to execute and the Secretary, Assistant Secretary or Secretary Pro Tempore to attest this order on behalf of the Board of Directors and the District.

Passed and ordered this February 4, 2022.

Title: _____

ATTEST:

Title: _____



I, the undersigned Officer of the Board of Directors of River Plantation Municipal Utility District, hereby certify that the foregoing is a true and correct copy of the Order Authorizing Filing Application for Approval of Texas Commission on Environmental Quality of District's Engineering Project and Issuance of Bonds adopted by the Board at its special meeting on February 4, 2022, together with excerpts from the Board's minutes of that date showing the adoption thereof, the originals of which Order and minutes are on file in the minute book of the Board, in the District's office.

I further certify that said meeting was open to the public, and that notice thereof was posted in compliance with the provisions of Tex. Gov't. Code Ann. § 551.001 et seq.

Witness my hand and the official seal of said District, this _____,
2022.

Title: _____



**River Plantation MUD
BOND ISSUE NO. 9
SUMMARY OF COSTS
\$6,950,000**

<u>No.</u>	<u>Description</u>	<u>Total</u>	<u>100% District Share</u>
Developer Contribution Items (none)			-0-
District Items			
1	WWTF Rehabilitation Phase 1 ⁽¹⁾	307,500	307,500
2	WWTF Electrical Upgrades ⁽¹⁾	200,000	200,000
3	Water Plant No. 3 Electrical Upgrades	97,500	97,500
4	Water Plant No. 2 Recoating	228,500	228,500
5	Fire Hydrant & Valve Survey	50,757	50,757
6	Fire Hydrant & Valve Rehabilitation	152,500	152,500
7	Sanitary Sewer Clean & Televis	361,066	361,066
8	Sanitary Sewer Rehabilitation Phase 1	435,827	435,827
9	Sanitary Sewer Rehabilitation Phase 2	418,958	418,958
10	Sanitary Sewer Rehabilitation Phase 3	417,746	417,746
11	Sanitary Sewer Manhole Rehabilitation Phase 1	420,000	420,000
12	Storm Sewer Clean & Televis	46,384	46,384
13	Channel Survey & Evaluation	50,000	50,000
14	Storm Sewer Rehabilitation Phase 1 ⁽¹⁾	479,075	479,075
15	Storm Sewer Rehabilitation Phase 2 ⁽¹⁾	463,800	463,800
16	Mosswood Ditch Rehabilitation Phase 1	559,825	559,825
17	10% Contingency ⁽²⁾	468,944	468,944
18	15% Engineering ⁽³⁾	773,757	773,757
Subtotal District Items		5,932,139	5,932,139
Subtotal Construction Cost		5,932,139	5,932,139
85.4% of Bond Issue Requirement			
Non-Construction Costs			
A	Legal Fees (3%) ⁽³⁾		208,500
B	Financial Advisor (2%) ⁽⁴⁾		139,000
C	Interest Costs		
	Capitalized Interest (12 months @ 5.0%)		347,500
E	Bond Discount (3%) ⁽⁵⁾		208,500
F	Admin & Issuance Costs		35,036
G	TCEQ Fee (0.25%) ⁽⁶⁾		17,375
H	BAR Report Costs		55,000
I	Attorney General Fee (0.1%) ⁽⁷⁾		6,950
Subtotal Non-Construction Costs			\$1,017,861
14.6% of Bond Issue Requirement			
Total Bond Issue Requirement			\$6,950,000