

## **NOTICE OF ELECTION**

### **TO THE QUALIFIED ELECTORS OF WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 56, AND TO ALL OTHER INTERESTED PERSONS:**

Notice is hereby given that an election will be held on the 7<sup>th</sup> day of November, 2023, between the hours of 7:00 a.m. and 7:00 p.m., at the locations listed on Exhibit B, for the purpose of voting upon the following propositions:

#### **PROPOSITION A**

SHALL THE CREATION OF WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 BE CONFIRMED?

#### **PROPOSITION B**

SHALL THE BOARD OF DIRECTORS OF WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 BE AUTHORIZED TO ISSUE THE BONDS OF SAID DISTRICT IN ONE OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$106,900,000 MATURING SERIALLY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING THE MAXIMUM NUMBER OF YEARS AUTHORIZED BY LAW FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES, AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE, AS DEFINED BY CHAPTER 1204, TEXAS GOVERNMENT CODE, AS AMENDED, ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT IN EFFECT AT THE TIME OF ISSUANCE OF EACH SUCH ISSUE OR SERIES, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DISTRICT, FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING, ACQUIRING, OWNING, LEASING, OR OPERATING A WATERWORKS SYSTEM, A SURFACE WATER SYSTEM, A SANITARY SEWER SYSTEM, AND A DRAINAGE AND STORM SEWER SYSTEM FOR SAID DISTRICT AND ADDITIONS, EXTENSIONS, AND IMPROVEMENTS THERETO AND PURCHASING OR OTHERWISE ACQUIRING ANY AND ALL PROPERTY, CONTRACT RIGHTS, RIGHTS OF USE, AND INTERESTS IN PROPERTY NECESSARY, APPROPRIATE, OR INCIDENT TO THE PURCHASE, CONSTRUCTION, ACQUISITION, OWNERSHIP, LEASING, OR OPERATION OF SUCH WATERWORKS SYSTEM, SURFACE WATER SYSTEM, SANITARY SEWER SYSTEM, AND DRAINAGE AND STORM SEWER SYSTEM, AND ADDITIONS, EXTENSIONS, AND IMPROVEMENTS THERETO, AND FOR THE ADDITIONAL PURPOSE OF PAYING ALL EXPENSES IN ANY MANNER INCIDENTAL THERETO AND SUCH EXPENSES AS ARE INCIDENTAL TO THE ORGANIZATION, ADMINISTRATION, AND FINANCING OF THE DISTRICT WHICH UNDER APPLICABLE LAW MAY PROPERLY BE PAID FROM THE PROCEEDS OF SUCH BONDS AND IN AN AMOUNT NOT IN EXCESS OF \$160,350,000 FOR THE PURPOSE OF REFUNDING ANY BONDS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED BY THE DISTRICT FOR ANY OF THE FOREGOING PURPOSES AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) CHAPTERS 49 AND 54 OF THE TEXAS WATER CODE, TO THE EXTENT APPLICABLE, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO?

### **PROPOSITION C**

SHALL THE BOARD OF DIRECTORS OF WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 BE AUTHORIZED TO ISSUE BONDS OF SAID DISTRICT IN ONE OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$129,250,000 MATURING SERIALLY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING THE MAXIMUM NUMBER OF YEARS AUTHORIZED BY LAW FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES, AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE, AS DEFINED BY CHAPTER 1204, TEXAS GOVERNMENT CODE, AS AMENDED, ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT IN EFFECT AT THE TIME OF ISSUANCE OF EACH SUCH ISSUE OR SERIES, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DISTRICT, FOR THE PURPOSE OR PURPOSES OF PURCHASING, CONSTRUCTING, ACQUIRING, OWNING, OPERATING, OR MAINTAINING PAVED ROADS AND TURNPIKES FOR SAID DISTRICT AND ADDITIONS, EXTENSIONS, AND IMPROVEMENTS THERETO AND PURCHASING OR OTHERWISE ACQUIRING ANY AND ALL PROPERTY, CONTRACT RIGHTS, RIGHTS OF USE, AND INTERESTS IN PROPERTY NECESSARY, APPROPRIATE, OR INCIDENT TO THE PURCHASE, CONSTRUCTION, ACQUISITION, OWNERSHIP, OPERATION, OR MAINTENANCE OF SUCH PAVED ROADS AND TURNPIKES AND ADDITIONS, EXTENSIONS, AND IMPROVEMENTS THERETO, AND FOR THE ADDITIONAL PURPOSE OF PAYING ALL EXPENSES IN ANY MANNER INCIDENTAL THERETO WHICH UNDER APPLICABLE LAW MAY PROPERLY BE PAID FROM THE PROCEEDS OF SUCH BONDS AND IN AN AMOUNT NOT IN EXCESS OF \$193,875,000 FOR THE PURPOSE OF REFUNDING ANY BONDS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED BY THE DISTRICT FOR ANY OF THE FOREGOING PURPOSES AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) ARTICLE III, SECTION 52(b)(3) OF THE TEXAS CONSTITUTION, AND CHAPTERS 49 AND 54 OF THE TEXAS WATER CODE, TO THE EXTENT APPLICABLE, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO?

### **PROPOSITION D**

SHALL THE BOARD OF DIRECTORS OF WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 BE AUTHORIZED TO ISSUE BONDS OF SAID DISTRICT IN ONE OR MORE ISSUES OR SERIES IN THE MAXIMUM AMOUNT OF \$70,200,000 MATURING SERIALLY OR OTHERWISE IN SUCH INSTALLMENTS AS ARE FIXED BY SAID BOARD OVER A PERIOD OR PERIODS NOT EXCEEDING THE MAXIMUM NUMBER OF YEARS AUTHORIZED BY LAW FROM THEIR DATE OR DATES, BEARING INTEREST AT ANY RATE OR RATES, AND TO SELL SAID BONDS AT ANY PRICE OR PRICES, PROVIDED THAT THE NET EFFECTIVE INTEREST RATE, AS DEFINED BY CHAPTER 1204, TEXAS GOVERNMENT CODE, AS AMENDED, ON ANY ISSUE OR SERIES OF SAID BONDS SHALL NOT EXCEED THE MAXIMUM LEGAL LIMIT IN EFFECT AT THE TIME OF ISSUANCE OF EACH SUCH ISSUE OR SERIES, ALL AS MAY BE DETERMINED BY THE BOARD OF DIRECTORS OF SAID DISTRICT, FOR THE PURPOSE OR PURPOSES OF ACQUIRING, PURCHASING, OWNING, OPERATING, REPAIRING OR IMPROVING PARKS, LANDSCAPING, PARKWAYS, GREENBELTS, SIDEWALKS, TRAILS, PUBLIC RIGHT-OF-WAY BEAUTIFICATION PROJECTS AND RECREATIONAL EQUIPMENT AND FACILITIES AND ASSOCIATED STREET AND SECURITY LIGHTING, INCLUDING, BUT NOT LIMITED TO, ALL ADDITIONS TO THE PARKS AND RECREATIONAL FACILITIES, AND ALL WORKS, IMPROVEMENTS, FACILITIES, EQUIPMENT, APPLIANCES, INTERESTS IN PROPERTY, AND CONTRACT RIGHTS NEEDED THEREFOR, AND FOR THE ADDITIONAL

PURPOSE OF PAYING ALL EXPENSES IN ANY MANNER INCIDENTAL THERETO WHICH UNDER APPLICABLE LAW MAY PROPERLY BE PAID FROM THE PROCEEDS OF SUCH BONDS AND IN AN AMOUNT NOT IN EXCESS OF \$105,300,000 FOR THE PURPOSE OF REFUNDING ANY BONDS OR OTHER EVIDENCES OF INDEBTEDNESS ISSUED BY THE DISTRICT FOR ANY OF THE FOREGOING PURPOSES AND TO PROVIDE FOR THE PAYMENT OF PRINCIPAL OF AND INTEREST ON SUCH BONDS BY THE LEVY AND COLLECTION OF A SUFFICIENT TAX UPON ALL TAXABLE PROPERTY WITHIN SAID DISTRICT, ALL AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO?

**PROPOSITION E**

SHALL THE BOARD OF DIRECTORS OF WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 BE AUTHORIZED TO ASSESS, LEVY, AND COLLECT AN ANNUAL OPERATION AND MAINTENANCE TAX NOT TO EXCEED ONE DOLLAR AND FIFTY CENTS (\$1.50) PER ONE HUNDRED DOLLARS (\$100) VALUATION OF TAXABLE PROPERTY WITHIN SAID DISTRICT IN AMOUNTS SUFFICIENT TO SECURE FUNDS FOR OPERATION AND MAINTENANCE PURPOSES, INCLUDING BUT NOT LIMITED TO FUNDS FOR PLANNING, CONSTRUCTING, ACQUIRING, MAINTAINING, REPAIRING, AND OPERATING ALL NECESSARY LAND, PLANTS, WORKS, FACILITIES, IMPROVEMENTS, APPLIANCES, AND EQUIPMENT OF SUCH DISTRICT AND FOR PAYING COSTS OF PROPER SERVICES, ENGINEERING, AND LEGAL FEES, AND ORGANIZATION AND ADMINISTRATIVE EXPENSES, IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) SECTION 49.107 OF THE TEXAS WATER CODE, TOGETHER WITH ALL AMENDMENTS AND ADDITIONS THERETO?

Each voter shall vote on the proposition by placing an "X" in the square beside the statement indicating the way he wishes to vote. There shall also be placed on the ballots used in the election the names of the temporary directors, as follows:

- SHELBY MCNEEL
- ELLIE LITTLE
- OLIVIA LOVOI
- TREVOR PINCHBACK
- IDA AFSHAR
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

The voter may vote for any five (5) persons for director by placing an "X" in the square beside the person's name or by writing the name or names of a person or persons in the blank space provided. Oral assistance in Spanish shall be made available to all persons requiring such assistance. Any person requiring oral assistance in Spanish should contact the presiding judge or absentee voting clerk.

The District has entered into a Joint Election Agreement with Waller County which provides that the County will conduct the Election on behalf of the District.

In accordance with Section 1251.052(b) of the Texas Government Code, as amended, the Board is not required to prepare a voter information document for the above proposition, as the District has less than 250 registered voters as of the date the District ordered the election.

The Election is being held pursuant to an Order adopted by the Board of the District on July 27, 2023, a copy of which is available in the office of the District at 1980 Post Oak Boulevard, Suite 1380, Houston, Texas 77056.

The boundaries of the District are hereby established as and shall constitute one election precinct. The Elections Administrator of Waller County (the “Administrator”) shall appoint the presiding judge and clerks for the election pursuant to the Contract. The Administrator may appoint, as he or she deems necessary, clerks to assist in the conduct of the election. If the regularly appointed presiding judge is unable to serve at the election, the alternate presiding judge shall serve as the presiding judge for the election. If the election is conducted by the regularly appointed presiding judge, he or she may appoint the alternate presiding judge as one of the clerks to serve at the election.

The early voting ballot board shall be appointed by the Administrator in accordance with the Contract.

Early voting in the election by personal appearance shall occur as provided by the County pursuant to the Contract. The clerk for early voting shall be the Administrator, and the place at which such early voting shall be conducted is to be determined by the County pursuant to the Contract. The early voting clerk’s address at which the early voting clerk may receive applications for ballot by mail is:

- (a) by regular mail:  
Christy A. Eason  
Waller County Election Administrator  
816 Wilkins Street  
Hempstead, Texas 77445
  
- (b) by common or contract carrier:  
Christy A. Eason  
Waller County Election Administrator  
816 Wilkins Street  
Hempstead, Texas 77445

An application for ballot by mail may be submitted to the early voting clerk via email or fax. The early voting clerk’s email at which the early voting clerk may receive applications for ballot by mail is [vote@wallercounty.us](mailto:vote@wallercounty.us). The early voting clerk’s fax number to which the early voting clerk may receive applications for ballot by mail is (979) 826-7645. To be effective, an application for ballot by mail submitted by FAX or EMAIL must also be submitted by mail and be received by the early voting clerk not later than the fourth business day after the transmission by fax or email is received.

A completed mail ballot must be returned to the Waller County Election Administrator’s Office in the Official Carrier Envelope provided. It may be returned in any of the following manners:

1. Regular residential mail via United States Postal Service:
  - a. Ballot must be postmarked by 7:00 p.m. on Election Day and must be received by 5:00 p.m. on the first mail delivery day after Election Day;
  
2. In-person drop off at Waller County Election Administration Building (816 Wilkins Street, Hempstead, Texas 77445) on Election Day only from 7 am – 7 pm:
  - a. An acceptable form of [photo identification](#) must be presented;
  - b. If a voter does not possess and cannot reasonably obtain an acceptable form of photo identification, the voter [may show a List B identification](#) and complete a Reasonable Impediment Declaration (RID);
  - c. Only the voter may deliver their ballot in person;

3. Common or contract carrier, such as personal courier, or FedEx or UPS, or other contracted mail service:
  - a. Ballot must be received by 7:00 p.m. on Election Day;
  - b. If the carrier provides receipt mark indicating a time before 7:00 p.m. on Election Day, it may be received by 5:00 p.m. on the first mail delivery day after Election Day.

The Administrator is hereby appointed as the agent for the Secretary of the Board of the District for the purpose of being custodian of the election records. The agent shall maintain election records in accordance with the Texas Election Code.

Early voting by personal appearance shall occur on each day beginning Monday, October 23, 2023, through Friday, November 3, 2023, that is not an official State holiday. The early voting schedule shall be between the hours and at the locations listed in Exhibit A.

Oral assistance in Spanish is available by contacting the Waller County Election Administrator.

BY ORDER OF THE BOARD OF DIRECTORS  
WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 56