

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

Minutes of Meeting of Board of Directors
November 15, 2021

A meeting of the Board of Directors (“Board”) of Harris County Municipal Utility District No. 155 (“District”) was held on November 15, 2021 at Workspace Suites, 16517 Longenbaugh Drive, Houston, Texas, in accordance with the duly posted notice of the meeting, with a quorum of Directors present, as follows:

Margaret K. Dawson, President
Jim Denmon, Vice President
Clint Wilhelm, Secretary
Corey Manahan, Director

and the following absent:

Barbara Scott, Director.

Also present were ; Mr. John Taylor, District operator; Ms. Debbie Arellano, tax assessor-collector for the District; Ms. Diane Bailey, District bookkeeper; Mr. John Gerdes, District engineer; Mr. Michael Smith of Michael’s Maintenance; Mr. Pat Burke and Mr. Jeff Penney, representing Harris County MUDs No. 172 and No. 156, respectively; and Ms. Melissa J. Parks, attorney for the District.

The President called the meeting to order and declared it open for such business as might come before it.

1. The Board considered the following items from the consent agenda:

Tax assessor-collector’s report including invoices and a schedule of delinquent taxes. Tax collections for 2020 are 99.235%, with \$10,230.31 remaining outstanding. 2021 taxes are 1.152% collected and the certified value for 2021 is \$170,448,247. The Board agreed no aerial photograph as of January 1, 2022 was needed.

Bookkeeper’s report, a copy of which is attached hereto, including invoices, a schedule of investments, and an investment report.

Minutes of the Board of Directors meeting held October 18, 2021.

After discussion by the Board, upon motion by Director Wilhelm, seconded by Director Manahan, the Board voted unanimously to approve the items on the consent agenda, including checks as reflected on the tax assessor-collector's and bookkeeper's reports.

2. The Board opened the meeting for public comment. Following up on discussions last month Mr. Burke of No. 172 addressed the operating reserve in the joint sewer plant account and asked if there was a better way to handle payments. No. 172 does not receive the bill each month until after its regular meeting. It was suggested the No. 172 consider signing a blank check each month with which its bookkeeper could pay this bill and then report the amount at the next Board meeting. Additional discussion of this matter ensued, with the Board agreeing the joint water and sewer plant participants should be notified of their corresponding prorated additional reserve amounts which should be paid by January 31, 2022.

3. Mr. Taylor presented the operations report, copy attached, reflecting 825 total connections and 3 vacancies. Water accountability during the month was 93%, and the sewage treatment plant had operated at 39% of permitted capacity. Mr. Taylor noted the report reflected another large quantity of gallons used during the month attributed to leaks or flushing, but he noted on October 19 the leak had been isolated in a storm sewer outfall. During repair of the leak the County will require implementation of a traffic control plan. The operators worked with Mr. Gerdes on the traffic plan and will proceed with the repair. The repair work is scheduled for November 29, and the Board requested display of a traffic control sign several days in advance to warn the public of the temporary lane closure. The Board also requested that an insurance claim be submitted for this incident.

Mr. Taylor had no uncollectable accounts for write off this month but submitted a list of 32 delinquent accounts to the Board for termination of utility service. He stated that these customers had been given written notification of the opportunity to appear, either in person or in writing, at the Board meeting to contest, explain or request correction of the charges, services or disconnection. The affected customers were not in attendance, nor had anyone on their behalf contacted the operator's office or the District in response to the notification. After discussion, upon motion duly made, seconded and unanimously carried, the Board authorized the operator to proceed with termination of utility service to said accounts pursuant to provisions of the District's Rate Order.

Mr. Taylor described work at District facilities during the month and addressed an issue with lift station pump No. 1. He had been unable to obtain a repair quote after having obtained a replacement quote of \$20,039. The Board authorized replacement of this pump. After discussion Mr. Taylor then noted that the hypochlorinator pump at the sewage treatment plant needed repair or replacement at \$1,655 or \$2,768, respectively. The Board authorized replacement but mentioned it believed the District may already have available an extra pump and requested the operator check. If there was no extra pump, the Board authorized the operator to order two new pumps so the District would have an extra one on hand. Mr. Taylor next addressed planned work on sanitary manholes and stated that work would start soon on manholes needing concrete work, followed by those needing interior work. Mr. Taylor then discussed recent tank inspections at the water plant. The tank exteriors have been pressure washed, and trees at the hydropneumatic tank would soon be trimmed. Mr. Taylor spoke of work needed to address pitting at the hydropneumatic tank and noted that a quick-cure epoxy coating had been ordered. Work was also needed at tank No. 2. After further discussion of the operator's report, upon motion duly made, seconded and unanimously carried, the Board approved the report as presented.

4. The Board considered adoption of an order amending the District's schedule of water and sewer fees and rates. The Board proposed to lower the base residential water rate by \$4.00 per month. The Board discussed the effect of this action to slightly reduce the water revenue budgeted for the fiscal year ending August 31, 2022. Nevertheless, given increased maintenance tax revenues, the action was reasonable. After further discussion, upon motion by Director Wilhelm, seconded by Director Manahan, the Board voted unanimously to adopt the attached Order Amending District's Schedule of Water and Sewer Service Fees and Rates.

5. The Board considered amendment of the District's operating budget for the fiscal year ending August 31, 2022. It was noted that the maintenance tax revenue should be increased to \$1,133,481, and the water revenue should be reduced given the monthly water rate reduction. After further discussion, upon motion duly made, seconded and unanimously carried, the Board adopted the attached Resolution amending the operating budget.

6. Mr. Gerdes presented the engineer's report, copy attached. Mr. Gerdes discussed in detail the recent inspection of the District's water plant. The inspection was

attended by a representative of No. 156 as well as two engineers representing that district. During the inspection there was observation of the electrical panels, and the No. 156 engineers requested the District's engineers to coordinate with JACH Controls to look into the cost of replacing the entire motor control center at the plant as part of a capital improvement to be undertaken at a later time. Mr. Gerdes then reported JACH has notified the engineer that materials needed for the contracted electrical work are on back order and it will likely be 90 days until the contractor mobilizes on the job site.

Mr. Gerdes then discussed the joint sewage treatment plant. The cost estimate and scope of work are finalized, and Mr. Gerdes requested Board authorization to begin planning the advertising process so it may begin as soon as the bid document is complete. Mr. Gerdes reviewed a proposed schedule with the Board which thereafter unanimously approved proceeding in this manner. Mr. Gerdes next discussed the emergency fence repair and reported the engineers have filed an insurance claim for the downed fence and would coordinate with the insurance adjuster. Finally, Mr. Gerdes reported on completion of the new wrought iron fence and gate and then spoke briefly about work needed on fencing in Wheatstone. With regard to the completed Brookside Court work including the wrought iron fence and gate, as well as additional fence, sidewalk and drainage work paid for using general operating funds, the Board agreed it desired to use surplus capital projects funds to pay for these projects. Once the wrought iron fence and gate costs are paid, Mr. Gerdes and Ms. Parks would work together with the bookkeeper to compile the information resolution and/or application necessary for reimbursement of the general fund from the capital projects fund. After further discussion of engineering matters, upon motion duly made, seconded and unanimously carried, the Board approved the report as presented.

7. Michael Smith of Michael's Maintenance Service LLC reported on landscape maintenance and reviewed a written report, copy attached. Mr. Smith asked if the Board desired expedited shipping on the bench and trashcan and it declared it did not. Mr. Smith then discussed the irrigation system and stated he was working on the surge protector for the controllers. Finally, during an annual review of consultant contract terms and insurance certificates, it was noted that Mr. Smith's contract had expired. He requested the Board consider contract renewal at its next meeting and agreed to hold his prices steady.

8. The Board considered renewal of the District's insurance policies and

reviewed a summary comparing current premiums to proposed renewal premiums. The Property and Boiler & Machinery coverage premiums had increased due to a \$340,000 increase in the value of the insured property. After discussion, the Board agreed unanimously to renew the insurance in accordance with the proposal attached to the minutes. The Board requested that proposals for insurance coverage be requested from two agents in 2022. Finally, the attorney confirmed that her office had completed review of insurance required of District consultants and reported all such insurance was current with certificates on file or that updated certificates had been requested.

There being no pending or any further business to come before the Board, the meeting was adjourned.

A handwritten signature in black ink, appearing to be 'D. J. ...', written over a horizontal line.

Secretary

**HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155
NOTICE OF PUBLIC MEETING**

Notice is hereby given to all interested parties that the Board of Directors of the captioned District will hold a public meeting at **Workspace Suites, 16517 Longenbaugh Drive, Houston, Texas 77095**. The meeting will be held at **6:00 p.m. on Monday, November 15, 2021**.

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

CONSENT AGENDA: The following items are considered routine by the Board and will be enacted by one motion if appropriate. No separate discussion will occur on these items unless a Board member or member of the public so requests, in which event, the item will be considered on the Regular Agenda.

1. Approve minutes of meeting held on October 18, 2021
2. Tax assessor-collector's report and payment of invoices
3. Bookkeeper's report and payment of invoices; review and approve investment report

REGULAR AGENDA: Consideration of and action on the following items, plus any items removed from the Consent Agenda.

1. Presentation of public comments
2. Operator's report; review active connections and water accountability; status of operation, maintenance, and repair of District facilities; consider customer appeals; approve termination of service on delinquent accounts; status of manhole repairs
3. Order Amending District's Schedule of Water and Sewer Service Fees and Rates
4. Resolution Amending Operating Budget for Fiscal Year Ending August 31, 2022
5. Engineer's report, including:
 - a. Brookside Court fence and gate;
 - b. water plant inspection report; status of contract for water plant electrical work;
 - c. revise Capital Improvement Plan for Regional Sewage Treatment Plant; authorize preparation of plans and advertising for bids for work at plants #1 and #2;
 - d. repair of fence on Millbrook Lane;
 - e. backslope interceptor and fence replacement;
 - f. planning for use of surplus capital projects funds for completed projects;
 - g. authorize preparation of plans as appropriate; authorize advertising for bids; award contracts; approve change orders.
6. Report from Michael's Maintenance
7. Renewal of District insurance (expires 12/15/2021)
8. Annual review of insurance policies of consultants
9. Pending business, including comments from/discussion with other participants in regional facilities

10. Executive Session as necessary Authorized under Texas Government Code Ann., §551.071
11. Reconvene in Open Session and act on matters discussed in Executive Session, as necessary



A handwritten signature in blue ink that reads "Melissa J. Parks".

Melissa J. Parks
Attorney for the District

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

Order for Adoption of Schedule of
Water and Sewer Service Fees and Rates

At a meeting of the Board of Directors (the “Board”) of Harris County Municipal Utility District No. 155 (the “District”) held on November 15, 2021, at which a quorum of said Board was present, as follows:

- Margaret K. Dawson, President
- Jim Denmon, Vice President
- Clint Wilhelm, Secretary
- Corey Manahan, Director

and the following absent:

- Barbara Scott, Director

the following business was transacted:

The Order set out below was introduced and considered by the Board. It was then moved, seconded and unanimously carried that the following Order be adopted:

WHEREAS, the District has adopted a Resolution for Adoption of Order Establishing Policy and Rates for Water and Sewer Service (the “Rate Order”); and

WHEREAS, the Board desires to adopt a Schedule of Water and Sewer Service Fees and Rates for the services provided in said Rate Order; and

WHEREAS, any previous orders and amendments thereto, heretofore adopted by the Board, providing for rates for water and sewer services for customers within the District, is hereby revoked upon the effective date of this Order; and

WHEREAS, the Order hereinafter set forth shall become effective on November 15, 2021.

THEREFORE, be it ordered by the Board of Directors as follows:

I.

The Board hereby approves and adopts the Schedule of Water and Sewer Service Fees and Rates, attached here to as Exhibit A.

II.

The Board hereby authorizes and instructs the District's operator to assess and collect water and sewer fees and rates pursuant to the attached Schedule of Water and Sewer Services Fees and Rates, attached here to as Exhibit A, as authorized by the Board in this Order.

III.

The Board hereby authorizes the President or Vice President to execute this Order and the Secretary or Secretary Pro Tempore to attest to this Order on behalf of the Board and the District, and to do any and all things necessary to give effect to the intent hereof.

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Passed and adopted, this November 15, 2021.



President

ATTEST:



Secretary



EXHIBIT A

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

Schedule Of Water And Sewer Service Fees And Rates

<u>CORRESPONDING SECTION IN RATE ORDER</u>	<u>DESCRIPTION OF FEE/RATE</u>	<u>FEE/RATE</u>
Section 1.6 <u>Plumbing material restrictions: Customer Service Inspection Certifications</u>	Consumer Service Inspection Certification	Actual Cost plus \$20.00 per inspection
Section 1.7 <u>Backflow prevention devices</u>	Backflow Prevention Assembly Testing	Two (2) times the District's actual cost
Section 2.2. <u>Termination of service upon request of consumer</u>	Discontinuing Service Restoring Service	\$35.00 \$35.00
Section 2.3. c)(1) <u>Termination of service upon initiative of District</u>	Delinquent Letter Fee	\$15.00
Section 2.3. c)(4) <u>Termination of service upon initiative of District; door hanger notice</u>	Door Hanger Notice Fee	\$15.00
Section 2.3. f) <u>Termination of service upon initiative of District; service restoration</u>	Restoration of Service	\$70.00 plus an amount equal to the then current deposit required by Section 2.6 if not previously paid
Section 2.3. g) <u>Termination of service upon initiative of District; meter removal</u>	Removal of Meter due to Unauthorized Reconnection	\$100.00

<u>CORRESPONDING SECTION IN RATE ORDER</u>	<u>DESCRIPTION OF FEE/RATE</u>	<u>FEE/RATE</u>
Section 2.6 <u>Deposit to secure payment</u>	Residential community, church or non-profit water and/or sewer service Commercial water and/or sewer service	\$150.00 per connection Two (2) times the average monthly usage plus two (2) times the total number of units base water charges plus two (2) times the total number of units base sewer charges
Section 2.7 <u>Application fee</u>	Non-Refundable Application Fee	\$35.00
Section 2.8 <u>Builder damage deposit</u>	Builder Damage Deposit	\$2,000.00 plus 20% of the tap fee
Section 2.9 a) <u>Facility inspections; sewer connection inspection</u>	Single Family Residential Non-Single Family Residential Non-Taxable	\$50 per connection Two (2) times the District's actual cost per connection Two (2) times the District's actual cost per connection
Section 2.9 b) <u>Facility inspections; pre-construction inspection</u>	Single Family Residential All Other Consumers	\$55.00 Two (2) times the District's actual cost
Section 2.9 c) <u>Facility inspections; post-construction inspection and re-inspections</u>	Single Family Residential Non-Single Family Consumers and Non-Taxable Consumers	\$100.00 Two (2) times the District's actual cost
Section 3.1 <u>Residential water tap fees</u>	a) Up to and including a ¾" connection 1" connection b) connections over 1" d) other work necessary to expose water main in order to make tap	\$1,000.00 \$1,500.00 by separate order or agreement Two (2) times the District's actual cost

<u>CORRESPONDING SECTION IN RATE ORDER</u>	<u>DESCRIPTION OF FEE/RATE</u>	<u>FEE/RATE</u>
<p>Section 3.2 <u>Commercial water and sewer tap fees</u></p>	<p>a) Commercial entity - Water and sewer tap connection fee</p> <p>b) Consumer which is a Nontaxable Entity</p> <p>c) Deposit for tap and connection</p>	<p>actual and reasonable costs to the District for construction, installation and inspection of the tap or connection to District water, sanitary sewer or drainage facilities, including all necessary service lines and meters, plus 200% of the aforementioned costs</p> <p>actual costs to the District for construction, installation and inspection of the tap or connection to the water, sanitary sewer or drainage facilities, including all necessary service lines and meters, plus the District may charge an amount not to exceed the costs for all facilities that are necessary to provide District services to such Nontaxable Entity and that are financed or are to be financed in whole or in part by tax-supported bonds of the District</p> <p>amount of the estimated costs of construction, installation and inspection of the tap or connection</p>

<u>CORRESPONDING SECTION IN RATE ORDER</u>	<u>DESCRIPTION OF FEE/RATE</u>	<u>FEE/RATE</u>
Section 3.2 <u>Commercial water and sewer tap fees</u> <i>(continued)</i>	d) Irrigation tap or connection	actual and reasonable costs to the District for construction, installation, and inspection of the tap or connection to the District's water system, including all necessary service lines, meters, meter boxes, and other fixtures, plus \$200.00
	e) Non-Single Family Residential Irrigation tap or connection	actual cost plus 200%
Section 3.3 <u>Service to community facilities</u>	a) tap charge	District's cost plus the cost of the meter, meter box or installation thereof
	b) inspection fee	\$100.00
Section 4.1 f) <u>Grease trap inspections; violation fee</u>	Fee for failure to correct grease trap inspection violation within seven days of receipt of notice	\$200.00 per day
Section 4.2 <u>Grease trap inspection fee</u>	Grease tap inspection fee	\$65.00 per inspection
Section 5.1 <u>Monthly rates for water service</u>	RESIDENTIAL	
	First 5,000 gallons of water used	\$8.00
	Each 1,000 gallons of water used over 5,000 gallons	\$2.00
	Minimum monthly charge for which 5,000 gallons of water may be used	\$8.00
	COMMERCIAL	
	First 5,000 gallons of water used	\$12.00
	From 5,001 - 30,000 gallons of water used	\$2.00 per 1,000 gallons
	Over 30,000 gallons of water used	\$2.35 per 1,000 gallons
Minimum monthly charge for which 5,000 gallons of water may be used	\$12.00	

<u>CORRESPONDING SECTION IN RATE ORDER</u>	<u>DESCRIPTION OF FEE/RATE</u>	<u>FEE/RATE</u>
Section 5.1 <u>Monthly rates for water service; sprinkler systems</u>	b) Community sprinkler systems c) Commercial Non-Profit d) Commercial For-Profit	\$1.50 per 1,000 gallons \$2.00 per 1,000 gallons \$2.50 per 1,000 gallons
Section 5.2 <u>Monthly rates for sewer service</u>	Residential Flat Rate Commercial Up to 10,000 gallons Over 10,000 gallons	\$15.00 per month \$20.00 \$2.00 per 1,000 gallons
Section 5.3 <u>Multi-Family Residential Consumer; water and sewer charge</u>	Monthly charge during first 6 months of occupancy 1 st month 2 nd month 3 rd month 4 th month 5 th month 6 th month	Volume of water consumed plus 15% multiplied by the total number of units 30% multiplied by the total number of units 45% multiplied by the total number of units 60% multiplied by the total number of units 75% multiplied by the total number of units 90% multiplied by the total number of units

<u>CORRESPONDING SECTION IN RATE ORDER</u>	<u>DESCRIPTION OF FEE/RATE</u>	<u>FEE/RATE</u>
Section 5.3 <u>Multi-Family Residential Consumer; water and sewer charge</u> <i>(continued)</i>	Beginning in the 7 th month after initial occupancy Minimum monthly charge per unit for water (includes first 5,000 gallons usage per unit) Water rate per 1,000 gallons metered water for usage between 5,000 gallons and 15,000 gallons per unit Water rate per 1,000 gallons metered water for usage over 15,000 gallons per unit Minimum monthly charge per unit for sewer (does not include trash pick-up)	 \$15.00 \$2.25 \$2.50 \$15.00
Section 5.4 <u>Monthly rates to builders for water and sewer service to unoccupied residences</u>	First 5,000 gallons of water used Each 1,000 gallons of water used over 5,000 gallons	\$15.00 \$1.00
Section 4.7 <u>Penalty for failure to pay bill before delinquent</u>	Delinquent penalty	10% of bill
Section 5.7 <u>Returned checks</u>	Returned check fee	\$30.00
Section 5.8 <u>Texas Commission on Environmental Quality regulatory assessment</u>	Regulatory assessment – TCEQ	0.5% of the District's charges
Section 5.9 <u>Additional fees for West Harris County Regional Water Authority</u>	West Harris County Regional Water Authority Fee	Fee per 1,000 gallons of water used equal to 105% of the then-current surface water fee per 1,000 gallons assessed by Authority

<u>CORRESPONDING SECTION IN RATE ORDER</u>	<u>DESCRIPTION OF FEE/RATE</u>	<u>FEE/RATE</u>
Section 6.1 <u>Title, tampering, maintenance, setting (Meters)</u>	Damage Fee	\$50.00 Plus Section 8.1 penalty at Board discretion
Section 6.3 <u>Temporary Meter Usage - Construction Water</u>	Total Damage Deposit	\$1,500.00
	Portion of Deposit which is non-refundable charge to install and remove temporary meter	\$300.00
	Portion of Deposit used to secure payments for water usage as well as damage to the temporary meter	\$1,200.00
Section 9.3 <u>Backcharges</u>	c) Repairs to Customer water or sewer service line	cost (labor and materials) plus 20% billed to customer
	d) Repairs to District facilities damaged by any person	cost (labor and materials) plus 20% billed to person causing damage

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 155

Resolution Adopting Amended Operating
Budget for the Fiscal Year
Ending August 31, 2022

At a meeting of the Board of Directors (the "Board") of Harris County Municipal Utility District No. 155 (the "District") held on November 15, 2021, at which a quorum of said Board was present, as follows:

- Margaret K. Dawson, President
- Jim Denmon, Vice President
- Clint Wilhelm, Secretary
- Corey Manahan, Director

and the following absent:

- Barbara Scott, Director

the following business was transacted:

Whereas, the District has previously adopted an annual operating budget for the fiscal year ending August 31, 2022, as required by the rules of the Texas Commission on Environmental Quality; and

Whereas, the District has reviewed an amended proposed budget for said fiscal year; and

Whereas, the Board of the District finds it to be in the District's best interests to enact said amended budget as a management tool for the sound operation of the District.

Now, therefore, be it resolved that the District hereby adopts the amended operating budget for the fiscal year ending August 31, 2022, a copy of which is attached hereto as Exhibit "A." Further, an Appendix consisting of the District's audited financial statements, bond transcripts and engineer's reports required by Texas Water Code Section 49.106 is on file in the District's office and is incorporated herein by this reference.

The President or Vice President is authorized to execute and the Secretary or Secretary Pro Tempore to attest this Resolution on behalf of the District.

Dated this November 15, 2021.



President

ATTEST:



Secretary

[SEAL]



Other Expenses	6359	75	75	75	75	75	75	75	75	75	75	75	75	75	900
Grease Trap Inspec	6376	125	125	125	125	125	125	125	125	125	125	125	125	125	1,500
Transfer Fees	6378	150	150	150	150	150	150	150	150	150	150	150	150	150	1,800
Disconnect Fees	6380	300	300	300	300	300	300	300	300	300	300	300	300	300	3,600
Arbitrage Expense	6382	-	-	-	-	-	-	-	-	-	500	-	-	-	500
Document Conversion	6415	250	250	250	250	250	250	250	250	250	250	250	250	250	3,000
Mowing Maintenance	6488	4,200	4,200	4,200	4,200	4,200	4,200	4,200	7,200	4,200	4,200	4,200	4,200	4,200	53,400
TCEQ Assmt Fee	7410	-	-	-	-	1,853	-	-	-	-	-	-	-	-	1,853

Total Expenses	192,750	76,505	77,526	82,967	98,937	76,393	74,293	77,393	84,213	80,313	78,184	75,712	1,075,182
Net Revenue/(Loss)	(130,180)	(13,935)	(14,956)	185,443	830,654	39,717	(13,183)	(16,283)	(23,103)	(19,203)	(17,074)	(14,602)	793,299
Beginning Cash Surplus	1,393,221	1,263,041	1,249,107	1,234,151	1,419,594	2,250,248	2,289,965	2,276,783	2,260,500	2,237,397	2,218,195	2,201,121	
Less Operating Profit/Loss	(130,180)	(13,935)	(14,956)	185,443	830,654	39,717	(13,183)	(16,283)	(23,103)	(19,203)	(17,074)	(14,602)	
End Cash Surplus/Deficit	1,263,041	1,249,107	1,234,151	1,419,594	2,250,248	2,289,965	2,276,783	2,260,500	2,237,397	2,218,195	2,201,121	2,186,520	

NOTES:
Assumes No New Taps
Maintenance Tax Assumes 2020 CAV OF \$ 185,643,027/100 x \$.88 @ 99%

Presented Draft 1 : 7/24/2021
Presented Draft 2 : 8/16/2021
Adopted Updated
Draft 2 8/16/2021
Amended Draft 1 11/15/2021

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