

IN THE COMMISSIONERS COURT OF McLENNAN COUNTY

THE STATE OF TEXAS

*

TO ALL PERSONS INTERESTED:

COUNTY OF McLENNAN

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**NOTICE OF PUBLIC MEETING OF THE
McLENNAN COUNTY PUBLIC FACILITY CORPORATION BOARD OF DIRECTORS**

NOTICE IS HEREBY GIVEN that the McLennan County Public Facility Corporation Board will conduct its annually scheduled meeting on **Tuesday, the 16th day of January, 2024 at 11:00 a.m.** and act on the items on the following agenda.

VIDEOCONFERENCE NOTICE: A quorum of Commissioners Court will meet in person in the Commissioners' Courtroom. A limited number of the Court Members may attend remotely pursuant to Texas Government Code, Section 551.127

The opportunity to view and hear the meeting as well as the process if one wishes to address the Commissioners Court remotely is available at: <https://tx-mclennancounty.civicplus.com/1121/Commissioners-Court-Online-Meeting-Infor>

AGENDA

1. **Proof of Posting of Notice**
2. **Discussion and / or Action Regarding the Following Subjects of the McLennan County Public Facility Corporation:**
 - A. Adopt Annual Appointment / Re-Appointment of Officers and Directors Resolution
 - B. Establish the Annual Meeting Date for 2025
3. **Approval and Ratification of Minutes from Previous Meeting / Recording of Previously Approved Documents or Documents not Requiring Action.**
4. **Executive Session** (The Board may elect to convene in a closed executive session): *Consultation with Attorney*, a closed meeting will be held pursuant to Section 551.071 of the Government Code regarding consultation with attorney to seek advice on pending and contemplated litigation, settlements, and other matters, which are confidential under the Disciplinary Rules of the State Bar, on which the duty of the attorney of the County under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with the Open Meetings Act, regarding the financing, operation and/or construction of a proposed McLennan County privately operated Detention Center.
5. **Recess or adjournment.**

Signed this the 11th day of January, 2024

Scott M. Felton – Original Signed

Scott M. Felton, County Judge

THE STATE OF TEXAS*

COUNTY OF McLENNAN *

I, J.A. "ANDY" HARWELL, County Clerk, and the Ex-Officio Clerk to the Commissioners Court, hereby certify that the above and foregoing is a true and correct copy of a NOTICE OF MEETING posted by me at the Courthouse door in Waco, McLennan County, Texas, where notices are customarily posed, this the 11th day of January, 2024 at 4:45 p. m.

Witness my hand and seal of office at Waco, McLennan County, Texas, this 11th day of January, 2024.

(SEAL) J.A. "ANDY" HARWELL, County Clerk,
McLennan County, Texas

By: Myrce'tez Gowan-Perkins Deputy)

NOTICE: Persons with disabilities who may need auxiliary aids or services may contact the Office of the County Judge, (254) 757-5049, prior to the meeting date.

RESOLUTION TO APPOINT AND RE-APPOINT OFFICERS AND DIRECTORS

WHEREAS, The McLennan County Public Facility Corporation was established by order of the Commissioners Court on the 9th day of September, 2008 establishing a Board of Directors composed in its entirety of persons who are members of the Commissioners Court of McLennan County, whose terms of office were fixed to run contemporaneous with the respective terms of office of the McLennan County Commissioners Court;

RESOLVED, at the annual meeting of the Board of Directors of the McLennan County Public Facility Corporation held on **January 16, 2024**, the following Board of Directors are confirmed and ratified to serve in those capacities as indicated below:

Scott M. Felton – County Judge
James Smith – Commissioner, Precinct 1
Patricia Miller – Commissioner, Precinct 2
Will Jones – Commissioner, Precinct 3
Ben Perry – Commissioner, Precinct 4

RESOLVED, the Board has previously established the existence of the following offices which are hereby confirmed and ratified as the officers for the ensuing year to serve until the next annual meeting of the McLennan County Public Facility Corporation as follows:

Scott M. Felton – County Judge, President
Andy Harwell – County Clerk, Secretary
Bill Helton – County Treasurer, Treasurer

RESOLVED, the Board of Directors and officers are hereby confirmed, ratified, appointed to serve the ensuing year until the next annual meeting of the McLennan County Public Facility Corporation.

The Board of Directors, upon motion, second and vote, approved these annual appointments.

DATED: January 16, 2024

Scott M. Felton
County Judge/President

J. A. “Andy” Harwell
Secretary

**MCLENNAN COUNTY
PUBLIC FACILITY CORPORATION
501 WASHINGTON AVENUE
WACO, TEXAS 76701**

REQUISITION FORM

U.S. Bank National Association, as Trustee
Corporate Trust Services
ATTN: Melanie C. Fijan
VIA EMAIL: melanie.fijan@usbank.com

Re: Payment of County Operation and Maintenance Costs; Transfer of Surplus Fund to Facility Revenue Fund **(January 1, 2023 to March 31, 2023)**

The undersigned Issuer Representative of McLennan County Public Facility Corporation (the "Issuer") hereby requests **\$1,766,283.72** from the Operating Account in accordance with that certain Trust Indenture between the Issuer and U.S. Bank National Association as Trustee dated as of August 1, 2014 (the "Indenture") as an Operation and Maintenance Cost in accordance with Section 6.4 of the Sublease. Capitalized terms used herein shall have the meanings ascribed thereto in the Indenture. The following information supports this requisition:

- (1) the requisition number is: **2023-07-31(a)**
- (2) the name and wire instructions to whom payment is due or has been made, including a copy of the attached invoice or bill, is as follows:

BENEFICIARY:	McLennan County
NAME OF BANK:	BBVA Compass Bank
ABA NUMBER:	
ACCOUNT NUMBER:	

- (3) the amount to be paid is **\$1,766,283.72;**
- (4) the portion of the Project or purpose to which such payment is to be applied is for McLennan County Public Facility Corporation for County Operation and Maintenance Costs incident to the Project for the period 01/01/2023 – 03/31/2023;
- (5) each obligation, item of cost or expense mentioned therein has been properly incurred, is a proper charge against the Operating Account and has not been the basis of any previous withdrawal;

(6) no Event of Default now exists;

(7) This is the agreed payment of Operation and Maintenance Costs currently being held in the Surplus Account.

(8) This requisition confirms and authorizes that the sum due hereunder be paid from funds being held in the Surplus Account by transfer of such sums from the Surplus Account to the Facilities Revenue Fund to be paid in the next monthly payment due.

Signed this 28 day of August, 2023.

**McLENNAN COUNTY
PUBLIC FACILITY CORPORATION**

By: Scott M. Felton
Judge Scott M. Felton
President

c: McLennan County Auditor

Attached:

McLennan County Operation & Maintenance Costs

McLennan County, Texas
Public Facilities Corporation
FY 2023
January 1, 2023 to March 31, 2023

Housing Revenue Transferred to Trustee	\$ 2,549,134.60
Interest Earned on Operating Accounts	8,664.54
Administration Fees	-
Monthly Debt Service Allocations	(791,515.42)
2nd Fiscal Quarter Due to Operator (McLennan County)	<u>\$ 1,766,283.72</u>

McLennan County, Texas
Public Facilities Corporation
Billing Summary-FY 2023

ACCOUNT	DESCRIPTION	EFF DATE	BILLING MONTH	MONTH		REFERENCE	AMOUNT
				MONEY RCVD			
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	01/31/2023	November 2022	JAN 23		US BANK	-858,360.48
295-00-00-0000-118103-	Due From Fd 290 - ICE	01/31/2023	October 2022	JAN 23		US BANK	-2,439.48
295-00-00-0000-118103-	Due From Fd 290 - ICE	02/28/2023	November 2022	FEB 23		US BANK	-925.32
295-00-00-0000-118102-	Due From Fd 290 - BOP	02/28/2023	December 2022	FEB 23		US BANK	-3,455.12
295-00-00-0000-118102-	Due From Fd 290 - BOP	02/28/2023	November 2022	FEB 23		US BANK	-3,211.35
295-00-00-0000-118102-	Due From Fd 290 - BOP	02/28/2023	October 2022	FEB 23		US BANK	-4,313.99
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	02/28/2023	December 2022	FEB 23		US BANK	-845,826.60
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	03/31/2023	January 2023	MAR 23		US BANK	-821,263.56
295-00-00-0000-118102-	Due From Fd 290 - BOP	03/31/2023	January 2023	MAR 23		US BANK	-2,693.22
295-00-00-0000-118103-	Due From Fd 290 - ICE	03/31/2023	December 2022	MAR 23		US BANK	-2,103.00
295-00-00-0000-118103-	Due From Fd 290 - ICE	03/31/2023	January 2023	MAR 23		US BANK	-4,542.48

TRANSFERS TO TRUSTEE JAN-MAR	(2,549,134.60)
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McLennan County, Texas
Public Facilities Corporation
Interest Earned-FY 2023

ACCOUNT	DESCRIPTION	EFF DATE	REF1	REFERENCE	AMOUNT	COMMENTS
295-01-00-0001-361100-	Interest Earnings	01/31/2023	Jan-23	US BANK	(2,988.84)	US BANK JAN 2023
295-01-00-0001-361100-	Interest Earnings	02/28/2023	Feb-23	US BANK	(2,901.39)	US BANK FEB 2023
295-01-00-0001-361100-	Interest Earnings	03/31/2023	Mar-23	US BANK	(2,774.31)	US BANK MAR 2023
					<u>(8,664.54)</u>	

McLennan County, Texas
Public Facilities Corporation
Administration Fees - 295-615107

EFF DATE	AMOUNT	COMMENTS
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McLennan County, Texas
Public Facilities Corporation
Monthly Debt Service Allocations
01/01/2023 - 03/31/2023

The following amounts were transferred into the Bond Fund for debt service payments:

ACCOUNT	DESCRIPTION	YEAR	PER	EFF DATE	AMOUNT
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	4	01/31/2023	109,607.48
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	4	01/31/2023	156,250.00
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	5	02/28/2023	106,969.19
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	5	02/28/2023	156,250.00
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	6	03/31/2023	106,188.75
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	6	03/31/2023	156,250.00
					791,515.42

**MCLENNAN COUNTY
PUBLIC FACILITY CORPORATION
501 WASHINGTON AVENUE
WACO, TEXAS 76701**

REQUISITION FORM

U.S. Bank National Association, as Trustee
Corporate Trust Services
ATTN: Melanie C. Fijan
VIA EMAIL: melanie.fijan@usbank.com

Re: Payment of County Operation and Maintenance Costs; Transfer of Surplus Fund to Facility Revenue Fund (**April 1, 2023 to June 30, 2023**)

The undersigned Issuer Representative of McLennan County Public Facility Corporation (the "Issuer") hereby requests **\$1,490,550.39** from the Operating Account in accordance with that certain Trust Indenture between the Issuer and U.S. Bank National Association as Trustee dated as of August 1, 2014 (the "Indenture") as an Operation and Maintenance Cost in accordance with Section 6.4 of the Sublease. Capitalized terms used herein shall have the meanings ascribed thereto in the Indenture. The following information supports this requisition:

- (1) the requisition number is: **2023-07-31(b)**
- (2) the name and wire instructions to whom payment is due or has been made, including a copy of the attached invoice or bill, is as follows:

BENEFICIARY:	McLennan County
NAME OF BANK:	BBVA Compass Bank
ABA NUMBER:	
ACCOUNT NUMBER:	

- (3) the amount to be paid is **\$1,490,550.39**;
- (4) the portion of the Project or purpose to which such payment is to be applied is for McLennan County Public Facility Corporation for County Operation and Maintenance Costs incident to the Project for the period 04/01/2023 – 06/30/2023;
- (5) each obligation, item of cost or expense mentioned therein has been properly incurred, is a proper charge against the Operating Account and has not been the basis of any previous withdrawal;

(6) no Event of Default now exists;

(7) This is the agreed payment of Operation and Maintenance Costs currently being held in the Surplus Account.

(8) This requisition confirms and authorizes that the sum due hereunder be paid from funds being held in the Surplus Account by transfer of such sums from the Surplus Account to the Facilities Revenue Fund to be paid in the next monthly payment due.

Signed this 28 day of August, 2023.

**McLENNAN COUNTY
PUBLIC FACILITY CORPORATION**

By: Scott M. Felton
Judge Scott M. Felton
President

c: McLennan County Auditor

Attached:

McLennan County Operation & Maintenance Costs

McLennan County, Texas
Public Facilities Corporation
FY 2023
April 1, 2023 to June 30, 2023

Housing Revenue Transferred to Trustee	\$ 2,252,834.37
Interest Earned on Operating Accounts	10,389.01
Administration Fees	-
Monthly Debt Service Allocations	(772,672.99)
3rd Fiscal Quarter Due to Operator (McLennan County)	<u>\$ 1,490,550.39</u>

McLennan County, Texas
Public Facilities Corporation
Billing Summary-FY 2023

ACCOUNT	DESCRIPTION	EFF DATE	BILLING MONTH	MONTH		REFERENCE	AMOUNT
				MONEY RCVD			
295-00-00-0000-118103-	Due From Fd 290 - ICE	04/30/2023	February 2023	April 2023		US BANK	-1,514.16
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	04/30/2023	February 2023	April 2023		US BANK	-723,936.72
295-00-00-0000-118102-	Due From Fd 290 - BOP	05/31/2023	September 2022	May 2023		US BANK	-5,211.06
295-00-00-0000-118102-	Due From Fd 290 - BOP	05/31/2023	March 2023	May 2023		US BANK	-3,371.28
295-00-00-0000-118102-	Due From Fd 290 - BOP	05/31/2023	February 2023	May 2023		US BANK	-2,369.91
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	05/31/2023	March 2023	May 2023		US BANK	-777,605.28
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	06/30/2023	April 2023	June 2023		US BANK	-734,283.48
295-00-00-0000-118103-	Due From Fd 290 - ICE	06/30/2023	April 2023	June 2023		US BANK	-4,542.48

TRANSFERS TO TRUSTEE APR-JUN	(2,252,834.37)
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McLennan County, Texas
Public Facilities Corporation
Interest Earned-FY 2023

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>EFF DATE</u>	<u>REF1</u>	<u>REFERENCE</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
295-01-00-0001-361100-	Interest Earnings	04/30/2023	Apr-23	US BANK	(3,242.48)	US BANK APR 2023
295-01-00-0001-361100-	Interest Earnings	05/31/2023	May-23	US BANK	(3,342.78)	US BANK MAY 2023
295-01-00-0001-361100-	Interest Earnings	06/30/2023	Jun-23	US BANK	(3,803.75)	US BANK JUN 2023
					<u>(10,389.01)</u>	

McLennan County, Texas
Public Facilities Corporation
Administration Fees - 295-615107

EFF DATE	AMOUNT	COMMENTS
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McLennan County, Texas
Public Facilities Corporation
Monthly Debt Service Allocations
04/01/2023 - 06/30/2023

The following amounts were transferred into the Bond Fund for debt service payments:

ACCOUNT	DESCRIPTION	YEAR	PER	EFF DATE	AMOUNT
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	7	04/30/2023	102,658.48
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	7	04/30/2023	156,250.00
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	8	05/31/2023	101,668.79
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	8	05/31/2023	156,250.00
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	9	06/30/2023	94,179.05
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	9	06/30/2023	161,666.67
					772,672.99

**MCLENNAN COUNTY
PUBLIC FACILITY CORPORATION
501 WASHINGTON AVENUE
WACO, TEXAS 76701**

REQUISITION FORM

U.S. Bank National Association, as Trustee
Corporate Trust Services
ATTN: Melanie C. Fijan
VIA EMAIL: melanie.fijan@usbank.com

Re: Payment of County Operation and Maintenance Costs; Transfer of Surplus Fund to Facility Revenue Fund **(July 1, 2023 to September 30, 2023)**

The undersigned Issuer Representative of McLennan County Public Facility Corporation (the "Issuer") hereby requests **\$1,492,721.14** from the Operating Account in accordance with that certain Trust Indenture between the Issuer and U.S. Bank National Association as Trustee dated as of August 1, 2014 (the "Indenture") as an Operation and Maintenance Cost in accordance with Section 6.4 of the Sublease. Capitalized terms used herein shall have the meanings ascribed thereto in the Indenture. The following information supports this requisition:

- (1) the requisition number is: **2023-10-31(a)**
- (2) the name and wire instructions to whom payment is due or has been made, including a copy of the attached invoice or bill, is as follows:

BENEFICIARY:	McLennan County
NAME OF BANK:	BBVA Compass Bank
ABA NUMBER:	
ACCOUNT NUMBER:	

- (3) the amount to be paid is **\$1,492,721.14;**
- (4) the portion of the Project or purpose to which such payment is to be applied is for McLennan County Public Facility Corporation for County Operation and Maintenance Costs incident to the Project for the period 07/01/2023 – 09/30/2023;
- (5) each obligation, item of cost or expense mentioned therein has been properly incurred, is a proper charge against the Operating Account and has not been the basis of any previous withdrawal;

- (6) no Event of Default now exists;
- (7) This is the agreed payment of Operation and Maintenance Costs currently being held in the Surplus Account.
- (8) This requisition confirms and authorizes that the sum due hereunder be paid from funds being held in the Surplus Account by transfer of such sums from the Surplus Account to the Facilities Revenue Fund to be paid in the next monthly payment due.

Signed this 31st day of October, 2023.

**McLENNAN COUNTY
PUBLIC FACILITY CORPORATION**

By: 
Judge Scott M. Felton
President

c: McLennan County Auditor

Attached:
McLennan County Operation & Maintenance Costs
FY 2023 (July 1, 2023 to September 30, 2023)

McLennan County, Texas
Public Facilities Corporation
FY 2023
July 1, 2023 to September 30, 2023

Housing Revenue Transferred to Trustee	\$ 2,271,479.66
Interest Earned on Operating Accounts	11,330.87
Administration Fees	-
Monthly Debt Service Allocations	(790,089.39)
4th Fiscal Quarter Due to Operator (McLennan County)	<u><u>\$ 1,492,721.14</u></u>

McLennan County, Texas
Public Facilities Corporation
Billing Summary-FY 2023

ACCOUNT	DESCRIPTION	EFF DATE	BILLING MONTH	MONTH		AMOUNT
				MONEY RCVD	REFERENCE	
295-00-00-0000-118103-	Due From Fd 290 - ICE	07/31/2023	MAY 2023	JULY 2023	US BANK	-2,187.12
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	07/31/2023	MAY 2023	JULY 2023	US BANK	-792,494.52
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	08/31/2023	JUNE 2023	AUGUST 2023	US BANK	-719,562.48
295-00-00-0000-118103-	Due From Fd 290 - ICE	08/31/2023	MARCH 2023	AUGUST 2023	US BANK	-2,103.00
295-00-00-0000-118102-	Due From Fd 290 - BOP	08/31/2023	JUNE 2023	AUGUST 2023	US BANK	-1,261.80
295-00-00-0000-118102-	Due From Fd 290 - BOP	08/31/2023	MAY 2023	AUGUST 2023	US BANK	-3,125.93
295-00-00-0000-118102-	Due From Fd 290 - BOP	09/30/2023	APRIL 2023	SEPTEMBER 2023	US BANK	-5,105.13
295-00-00-0000-118102-	Due From Fd 290 - BOP	09/30/2023	JULY 2023	SEPTEMBER 2023	US BANK	-3,028.32
295-00-00-0000-118103-	Due From Fd 290 - ICE	09/30/2023	JULY 2023	SEPTEMBER 2023	US BANK	-4,121.88
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	09/30/2023	JULY 2023	SEPTEMBER 2023	US BANK	-738,489.48

TRANSFERS TO TRUSTEE JUL-SEP **(2,271,479.66)**

McLennan County, Texas
Public Facilities Corporation
Interest Earned-FY 2023

ACCOUNT	DESCRIPTION	EFF DATE	REF1	REFERENCE	AMOUNT	COMMENTS
295-01-00-0001-361100-	Interest Earnings	07/31/2023	Jul-23	US BANK	(3,198.38)	US BANK JUL 2023
295-01-00-0001-361100-	Interest Earnings	08/31/2023	Aug-23	US BANK	(4,365.47)	US BANK AUG 2023
295-01-00-0001-361100-	Interest Earnings	09/30/2023	Sep-23	US BANK	(3,767.02)	US BANK SEP 2023
					<u>(11,330.87)</u>	

**McLennan County, Texas
Public Facilities Corporation
Administration Fees - 295-615107**

EFF DATE	AMOUNT	COMMENTS
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McLennan County, Texas
Public Facilities Corporation
Monthly Debt Service Allocations
07/01/2023 - 09/30/2023

The following amounts were transferred into the Bond Fund for debt service payments:

ACCOUNT	DESCRIPTION	YEAR	PER	EFF DATE	AMOUNT
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	10	07/31/2023	102,889.73
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	10	07/31/2023	161,666.67
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	11	08/31/2023	102,040.65
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	11	08/31/2023	161,666.67
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	12	09/30/2023	100,159.00
300-00-00-0000-101810-	PFC Bond Fund (2014)	2023	12	09/30/2023	161,666.67
					790,089.39