

IN THE COMMISSIONERS COURT OF McLENNAN COUNTY

THE STATE OF TEXAS

*

TO ALL PERSONS INTERESTED:

COUNTY OF McLENNAN

*

**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 17th day of January, 2023 at 10:30 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 2024
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 13th day of January, 2023

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 13th day of January, 2023 at 9:45 a. m.

Witness my hand and seal of office at Waco, McLennan County, Texas, this 13th day of January, 2023.

(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 17, 2023**, 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 17, 2023

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

The undersigned Issuer Representative of McLennan County Public Facility Corporation (the "Issuer") hereby requests **\$2,743,530.01** 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: **2022-04-20(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

- (3) the amount to be paid is **\$2,743,530.01**;
- (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 01/01/2022 – 03/31/2022;
- (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 6th day of October, 2022.

**McLENNAN COUNTY
PUBLIC FACILITY CORPORATION**

By: 
Judge Scott M. Felton
President

c: McLennan County Auditor

Attached:
McLennan County Operation & Maintenance Costs

**McLennan County, Texas
Public Facilities Corporation
FY 2022
January 1, 2022 to March 31, 2022**

Housing Revenue Transferred to Trustee	\$ 3,581,015.95
Interest Earned on Operating Accounts	18.47
Administration Fees	-
Monthly Debt Service Allocations	(837,504.41)
2nd Fiscal Quarter Due to Operator (McLennan County)	<u>\$ 2,743,530.01</u>

McLennan County, Texas
 Public Facilities Corporation
 Billing Summary-FY 2022

ACCOUNT	DESCRIPTION	EFF DATE	BILLING MONTH	MONTH		REFERENCE	AMOUNT
				MONEY RCVD			
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	01/31/2022	October 2021	JANUARY2022		US BANK	-894,195.60
295-00-00-0000-118221-	Due From Fd 290 - Freestone	01/31/2022	October 2021	JANUARY2022		US BANK	-2,604.00
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	02/28/2022	November 2021	FEBRUARY 2022		US BANK	-831,105.60
295-00-00-0000-118221-	Due From Fd 290 - Freestone	02/28/2022	November 2021	FEBRUARY 2022		US BANK	-2,520.00
295-00-00-0000-118221-	Due From Fd 290 - Freestone	02/28/2022	December 2021	FEBRUARY 2022		US BANK	-2,604.00
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	03/31/2022	December 2021	MARCH 2022		US BANK	-893,859.12
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	03/31/2022	January 2022	MARCH 2022		US BANK	-918,590.40
295-00-00-0000-118102-	Due From Fd 290 - BOP	03/31/2022	October 2021	MARCH 2022		US BANK	-12,139.80
295-00-00-0000-118102-	Due From Fd 290 - BOP	03/31/2022	November 2021	MARCH 2022		US BANK	-10,780.97
295-00-00-0000-118102-	Due From Fd 290 - BOP	03/31/2022	December 2021	MARCH 2022		US BANK	-9,675.98
295-00-00-0000-118103-	Due From Fd 290 - ICE	03/31/2022	January 2022	MARCH 2022		US BANK	-336.48
295-00-00-0000-118221-	Due From Fd 290 - Freestone	03/31/2022	January 2022	MARCH 2022		US BANK	-2,604.00

TRANSFERS TO TRUSTEE JAN - MAR (3,581,015.95)

McLennan County, Texas
Public Facilities Corporation
Interest Earned-FY 2022

ACCOUNT	DESCRIPTION	EFF DATE	REF1	REFERENCE	AMOUNT	COMMENTS
295-01-00-0001-361100-	Interest Earnings	01/31/2022	Jan-22	US BANK	(4.36)	US BANK JAN 2022
295-01-00-0001-361100-	Interest Earnings	02/28/2022	Feb-22	US BANK	(5.53)	US BANK FEB 2022
295-01-00-0001-361100-	Interest Earnings	03/31/2022	Mar-22	US BANK	(8.58)	US BANK MAR 2022
					<u>(18.47)</u>	

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

EFF DATE	AMOUNT	COMMENTS
	-	
	-	
	-	
	<hr/>	
	-	
	<hr/> <hr/>	

McLennan County, Texas
Public Facilities Corporation
Monthly Debt Service Allocations
01/01/2022 - 03/31/2022

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)	2022	4	01/31/2022	127,481.57
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	4	01/31/2022	151,666.67
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	5	02/28/2022	127,511.89
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	5	02/28/2022	151,666.67
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	6	03/31/2022	127,510.94
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	6	03/31/2022	151,666.67
					837,504.41

**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

The undersigned Issuer Representative of McLennan County Public Facility Corporation (the "Issuer") hereby requests **\$963,034.14** 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: **2022-10-06(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

- (3) the amount to be paid is **\$963,034.14;**
- (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 04/01/2022 – 06/30/2022;
- (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 6th day of October, 2022.

**McLENNAN COUNTY
PUBLIC FACILITY CORPORATION**

By: 
Judge Scott M. Felton
President

c: McLennan County Auditor

Attached:
McLennan County Operation & Maintenance Costs

**McLennan County, Texas
Public Facilities Corporation
FY 2022
April 1, 2022 to June 30, 2022**

Housing Revenue Transferred to Trustee	\$ 1,798,063.32
Interest Earned on Operating Accounts	599.01
Administration Fees	-
Monthly Debt Service Allocations	(835,628.19)
2nd Fiscal Quarter Due to Operator (McLennan County)	<u>\$ 963,034.14</u>

McLennan County, Texas
Public Facilities Corporation
Billing Summary-FY 2022

ACCOUNT	DESCRIPTION	EFF DATE	BILLING MONTH	MONTH		REFERENCE	AMOUNT
				MONEY RCVD			
295-00-00-0000-118103-	Due From Fd 290 - ICE	04/30/2022	FEBRUARY 2022	APRIL 2022		US BANK	-336.48
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	04/30/2022	FEBRUARY 2022	APRIL 2022		US BANK	-871,314.96
295-00-00-0000-118101-	Due From Fd 290 - US Marshall	05/31/2022	MARCH 2022	MAY 2022		US BANK	-911,524.32
295-00-00-0000-118221-	Due From Fd 290 - Freestone	05/31/2022	FEBRUARY 2022	MAY 2022		US BANK	-1,176.00
295-00-00-0000-118102-	Due From Fd 290 - BOP	06/30/2022	APRIL 2022	JUNE 2022		US BANK	-13,711.56

TRANSFERS TO TRUSTEE APR - JUN	(1,798,063.32)
---------------------------------------	-----------------------

McLennan County, Texas
Public Facilities Corporation
Interest Earned-FY 2022

ACCOUNT	DESCRIPTION	EFF DATE	REF1	REFERENCE	AMOUNT	COMMENTS
295-01-00-0001-361100-	Interest Earnings	04/30/2022	Apr-22	US BANK	(81.55)	US BANK APR 2022
295-01-00-0001-361100-	Interest Earnings	05/31/2022	May-22	US BANK	(128.04)	US BANK MAY 2022
295-01-00-0001-361100-	Interest Earnings	06/30/2022	Jun-22	US BANK	(389.42)	US BANK JUN 2022
					<u>(599.01)</u>	

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

EFF DATE	AMOUNT	COMMENTS
-----------------	---------------	-----------------

-

-

-

-

McLennan County, Texas
Public Facilities Corporation
Monthly Debt Service Allocations
04/01/2022 - 06/30/2022

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)	2022	7	04/30/2022	127,423.09
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	7	04/30/2022	151,666.67
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	8	05/31/2022	127,116.07
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	8	05/31/2022	151,666.67
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	9	06/30/2022	121,505.69
300-00-00-0000-101810-	PFC Bond Fund (2014)	2022	9	06/30/2022	156,250.00
					835,628.19