

RESOLUTION AND ORDER OF THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS APPROVING PROPOSED ICE MODIFICATION AGREEMENT AND 2020 AMENDMENT TO 2017 AMENDED AND RESTATED OPERATIONS AND MANAGEMENT SERVICES AGREEMENT WITH REGARD TO THE IAH DETENTION CENTER AND AUTHORIZING EXECUTION OF REQUIRED INSTRUMENTS AND DOCUMENTS

WHEREAS, in accordance with its purposes and authority under the Texas Public Facility Corporation Act, Chapter 303 of the *Texas Local Government Code*, Polk County, Texas (“the County”) and Management & Training Corporation, a Delaware corporation (“MTC” or “the Operator”) entered into an Operation and Management Services Agreement on or about July 1, 2017 related to the IAH Detention Center (hereinafter “Facility”);

WHEREAS, the County and MTC are the parties to the O&M Agreement, which governs the operation of the facility known as the IAH Detention Center (the “Project”);

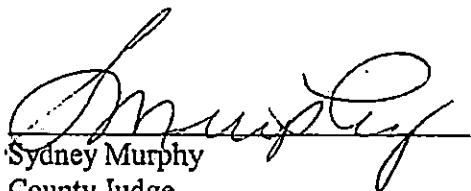
WHEREAS, the County and Immigration and Customs Enforcement (“ICE”) are parties to an Interlocal Governmental Service Agreement (“IGSA”) which is proposed to be modified as of May 1, 2020;

WHEREAS, the County and MTC have agreed to amend the O&M Agreement to (i) remove the occupancy threshold from Section 3.04(ii), and (ii) increase the General & Administrative Fee and the related financing documents to accommodate the May 1, 2020 Modification of the Intergovernmental Services Agreement with ICE.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS THAT:

1. The foregoing recitals are incorporated herein and made findings of fact;
2. The 2020 Amendment to the 2017 Amended and Restated Operation and Management Services Agreement and the related financing documents are APPROVED, and the County Judge is AUTHORIZED to execute the same on the County’s behalf, and to bind the County by such execution;
3. Effective as of May 1, 2020, the County and Immigration and Customs Enforcement (“ICE”) Interlocal Governmental Service Agreement Modification (“IGSA”) is APPROVED, and the County Judge is AUTHORIZED to execute the same on the County’s behalf, and to bind the County by such execution;

4. The County Clerk is AUTHORIZED to attest to, certify, or otherwise provide proof of approval and execution by signing any such instrument or document that may be required to carry out the actions taken above.



Sydney Murphy
County Judge
Polk County, Texas

Attestation and Certificate

I hereby attest and certify that the foregoing Resolution and Order truly and correctly reflects the actions taken by the Polk County Commissioners Court at its meeting on April 28, 2020, that the signature above is the true and authentic signature of Sydney Murphy, County Judge.



Schelana Hock, County Clerk
Polk County, Texas

