

NOTICE OF MEETING OF THE MCLENNAN COUNTY COMMISSIONERS COURT

NOTICE IS HEREBY GIVEN that, in accordance with the Government Code, Chapter 551, (known as the Open Meetings Act), as amended, a special meeting of Commissioners' Court, the governing body of McLennan County, will be held on **Tuesday, the 22nd day of May, 2018 at 1:30 o'clock p.m.** in the Commissioners' Courtroom, 1st Floor, West Wing, McLennan County Courthouse, 501 Washington, City of Waco, Texas, at which time, the subjects below will be considered and potentially acted upon.

AGENDA

A. Proof of Posting of Notice

B. Moment of Silence / Invocation and Pledge

C. Financial Obligation of McLennan County:

1. Authorization for County Treasurer to Pay County Checks / Wire / Electronic Transfers Issued Since the Last Authorization

D. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:

1. Authorization of Interlocal Cooperation Agreement with City of McGregor (re: Road Work)

E. McLennan County / Heart of Texas Fair Area Venue Project:

1. Based on Initial Ranking, Separate Interviews to be Conducted with the Top Three Ranked Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project
2. Discussion and Possible Action on Establishing Final Ranking of Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project, and Selection of the Top Ranked Firm for Purposes of Starting Negotiations for a Construction Manager-at-Risk Agreement for Phase 1 Services

F. Waco-McLennan County Economic Development Corporation (WMCEDC): Authorization of Agreements; Consulting Services; Proposed Projects / Program Project Agreements / Addendums / Pay Applications

1. Regarding the Economic Development Grant Program Project Agreement with Waco Entrepreneurial Ecosystem Collaborative Inc. dba Start Up Waco: Authorization of First and Final Payment Request

G. Executive/Closed Session

1. **Section 551.071 of the Government Code (V.C.T.A.):** An executive/closed session will be held so that the Commissioners Court can seek and receive legal advice from its attorneys regarding pending or threatened litigation, settlement offers, claims, Twin Peaks Matters, Jail Death Matter or other matters for which the attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct Conflicts with the Open Meetings Act (Ch.551, Gov. Code) if necessary for a subject contained on this agenda
2. **Section 551.072 of the Government Code (V.C.T.A.):** Regarding Real Property, including, but not limited to: (1) Right-Of-Way Acquisitions re: Expansion / Repair Project/s; and/or (2) Real Estate Purchase / Sale / Transfer / Trade / Offers to Purchase, Acquisition / Value / Donations of Real Property / Leases relative to Real Property, including, but not limited to, Potential Properties for Use by County / Public Facilities & Valuation of Current Property for Trade or Sale; Shrine Building and Garage Appraisal; Tradinghouse Park; Venue Project Property
3. **Section 551.074 of the Government Code (V.C.T.A.):** Regarding Personnel Matters including but not limited to: Personnel Review / Evaluation of Commissioners Court Appointed Department Heads; Incentive Pay; Personnel Matters Identified in any Open Session Item if Necessary, and related matters
4. **Section 551.076 of the Government Code (V.C.T.A.):** Deliberations regarding Security Devices or Security Audits
5. **Section 551.087 of the Government Code (V.C.T.A.):** Regarding Economic Development Negotiations including, but not limited to (1) Discussion of Commercial / Financial Information Received from a Business Prospect/s; (2) Pending Negotiations / Potential Prospects and Projects; and/or (3) Discussion re: Offers of Financial or Other Incentives to Business Prospect/s

H. Adjourn

Signed this 17th day of May, 2018



SCOTT M. FELTON, County Judge

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 posted this 17th day of May, 2018.

Witness my hand and seal of office at Waco, McLennan County, Texas the 17th day of May, 2018 at 3:05 o'clock p.m.

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

BY: Myrcetez Gowan (Deputy)

Notice: Persons with disabilities in need of auxiliary aide or services may contact the County Judge's Office, (254) 757-5049, prior to the meeting date

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

FILED: **MAY 22 2018**

By Myrcetez Gowan DEPUTY

AGENDA: MAY 22, 2018

B. Moment of Silence / Invocation and Pledge

CD-476, 1:30

County Judge Felton stated that at this time we will have a moment of silence. County Judge Felton then stated that we will now have the Pledge of Allegiance.

AGENDA: MAY 22, 2018

C. FINANCIAL OBLIGATION OF MCLENNAN COUNTY:

1. Authorization for County Treasurer to Pay County Checks /
Wire / Electronic Transfers Issued Since the
Last Authorization

Approved

CD-476, 1:31

**ORDER APPROVING PAYMENT OF FINANCIAL OBLIGATIONS
AND AUTHORIZING THE COUNTY TREASURER TO PAY COUNTY
CHECKS MAY 21, 2018**

On this the 22 day of May, 2018, came on for consideration the matter of approving payment of Financial Obligations and authorizing the County Treasurer to pay County Checks for May 21, 2018. After discussion, Commissioner Snell made a motion to approve and it was seconded by Commissioner Perry. A vote being called for, voting in favor of said motion was Judge Felton, Commissioner Snell and Commissioner Perry. It is ordered by the Court that said Financial Obligations and Authorization of the County Treasurer be, and the same is hereby, approved by unanimous vote.

Order of the Commissioners' Court of McLennan County

In accordance with Local Government Code Section 113.041(a), the Commissioners Court of McLennan County hereby directs the County Treasurer to release the checks to liquidate the obligations of McLennan County, Texas represented by the claims supporting the following checks, drawn on the McLennan County Treasury.

Date Checks will be Printed	Number of Invoices	Total Amount of Invoices
05-21-18	62	\$387,922.50
GRAND TOTAL	62	\$387,922.50

Approved and ordered by the McLennan County Commissioners Court

on this the 22 day of MAY, 2018

Scott M. Felton
County Judge

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

FILED: **MAY 22 2018**

By Myrcetez Gowan DEPUTY

AGENDA: MAY 22, 2018

D. Contracts, Interlocal Agreements, and Memorandums of Understanding; Purchase, Lease, or Acquisition of Goods, Equipment or Services, including any Financing Thereof:

1. Authorization of Interlocal Cooperation Agreement with City of McGregor (re: Road Work)

Approved

CD-476, 1:31

ORDER APPROVING:

**AUTHORIZATION OF INTERLOCAL COOPERATION
AGREEMENT WITH CITY OF MCGREGOR
(RE: ROAD WORK)**

On this the 22 day of May, 2018, came on for consideration the matter of Authorization of Interlocal Cooperation Agreement: McGregor Independent School District (re: Chip Seal Parking Lots). After discussion, Commissioner Perry made a motion to approve D. 1. and it was seconded by Commissioner Snell. A vote being called for, voting in favor of said motion was Judge Felton, Commissioner Snell and Commissioner Perry. It is ordered by the Court that said Authorization be, and the same is hereby, approved by unanimous vote.

AGENDA: MAY 22, 2018

E. McLennan County / Heart of Texas Fair Area Venue Project:

- | | |
|---|------------------------|
| 1. Based on Initial Ranking, Separate Interviews to be Conducted with the Top Three Ranked Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project | Discussion Only |
| 2. Discussion and Possible Action on Establishing Final Ranking of Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project, and Selection of the Top Ranked Firm for Purposes of Starting Negotiations for a Construction Manager-at-Risk Agreement for Phase I Services | Approved |

CD-476, 1:33

Commissioner Jones arrived to the Commissioner's Court Meeting at 1:34 p.m.

ORDER REGARDING:

**BASED ON INITIAL RANKING, SEPARATE INTERVIEWS TO BE
CONDUCTED WITH THE TOP THREE RANKED FIRMS SEEKING
TO SERVE AS CONSTRUCTION MANAGER-AT-RISK
FOR THE VENUE PROJECT**

On this the 22 day of May, 2018, came on for consideration the matter of Based on Initial Ranking, Separate Interviews to be Conducted with the Top Three Ranked Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project. The Court interviewed Mazanec Construction regarding Construction Manager-at-risk services for the Venue Project.

ORDER RECESSING SPECIAL SESSION

On this the 22 day of May, 2018, at 2:28 o'clock p.m., County Judge Scott Felton announced that this meeting of May 22, 2018 stands in recess for five minutes.

ORDER RECONVENING SPECIAL SESSION

On this the 22 day of May, 2018, at 2:34 o'clock p.m. the Court reconvened in Special Session with County Judge Scott M. Felton presiding and Commissioners Kelly Snell, Will Jones and Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

The Court went back to item E. 1. Based on Initial Ranking, Separate Interviews to be Conducted with the Top Three Ranked Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project.

ORDER REGARDING:

**BASED ON INITIAL RANKING, SEPARATE INTERVIEWS TO BE
CONDUCTED WITH THE TOP THREE RANKED FIRMS SEEKING
TO SERVE AS CONSTRUCTION MANAGER-AT-RISK
FOR THE VENUE PROJECT**

On this the 22 day of May, 2018, came on for consideration the matter of Based on Initial Ranking, Separate Interviews to be Conducted with the Top Three Ranked Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project. The Court interviewed John W. Erwin regarding Construction Manager-at-risk services for the Venue Project.

ORDER RECESSING SPECIAL SESSION

On this the 22 day of May, 2018, at 3:20 o'clock p.m., County Judge Scott Felton announced that this meeting of May 22, 2018 stands in recess for five minutes.

ORDER RECONVENING SPECIAL SESSION

On this the 22 day of May, 2018, at 3:23 o'clock p.m. the Court reconvened in Special Session with County Judge Scott M. Felton presiding and Commissioners Kelly Snell, Will Jones and Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

The Court went back to item E. 1. Based on Initial Ranking, Separate Interviews to be Conducted with the Top Three Ranked Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project.

ORDER REGARDING:

**BASED ON INITIAL RANKING, SEPARATE INTERVIEWS TO BE
CONDUCTED WITH THE TOP THREE RANKED FIRMS SEEKING
TO SERVE AS CONSTRUCTION MANAGER-AT-RISK
FOR THE VENUE PROJECT**

On this the 22 day of May, 2018, came on for consideration the matter of Based on Initial Ranking, Separate Interviews to be Conducted with the Top Three Ranked Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project. The Court interviewed MW Builders regarding Construction Manager-at-risk services for the Venue Project.

ORDER RECESSING SPECIAL SESSION

On this the 22 day of May, 2018, at 3:27 o'clock p.m., County Judge Scott Felton announced that this meeting of May 22, 2018 stands in recess for five minutes.

ORDER RECONVENING SPECIAL SESSION

On this the 22 day of May, 2018, at 4:06 o'clock p.m. the Court reconvened in Special Session with County Judge Scott M. Felton presiding and Commissioners Kelly Snell, Will Jones and Ben Perry and the Clerk thereof being in attendance, the following proceedings were had and done to-wit:

ORDER DEFERRING:

**DISCUSSION AND POSSIBLE ACTION ON ESTABLISHING FINAL RANKING
OF FIRMS SEEKING TO SERVE AS CONSTRUCTION MANAGER-AT-RISK
FOR THE VENUE PROJECT, AND SELECTION OF THE TOP RANKED
FIRM FOR PURPOSES OF STARTING NEGOTIATIONS FOR A
CONSTRUCTION MANAGER-AT-RISK AGREEMENT
FOR PHASE 1 SERVICES**

On this the 22 day of May, 2018, came on for consideration the matter of Discussion and Possible Action on Establishing Final Ranking of Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project, and Selection of the Top Ranked Firm for Purposes of Starting Negotiations for a Construction Manager-at-Risk Agreement for Phase 1 Services. After discussion, Commissioner Snell made a motion to approve and it was seconded by Commissioner Perry. A vote being called for, voting in favor of said motion was Judge Felton, Commissioner Snell, Commissioner Jones and Commissioner Perry. It is ordered by the Court that said Authorization be, and the same is hereby, deferred by unanimous vote.

AGENDA: MAY 22, 2018

**F. Waco-McLennan County Economic Development Corporation
(WMCEDC): Authorization of Agreements; Consulting Services;
Proposed Projects / Program Project Agreements / Pay Applications**

1. Regarding the Economic Development Grant Program Project Agreement with Waco Entrepreneurial Ecosystem Collaborative Inc. dba Start Up Waco: Authorization of First and Final Payment Request **Approved**

CD-476, 1:32

ORDER APPROVING:

**AUTHORIZATION OF FIRST AND FINAL
PAYMENT REQUEST**

**RE: THE ECONOMIC DEVELOPMENT GRANT PROGRAM
PROJECT AGREEMENT WITH WACO ENTREPRENEURIAL
ECOSYSTEM COLLABORATIVE INC. DBA
START UP WACO**

On this the 22 day of May, 2018, came on for consideration the matter Regarding the Economic Development Grant Program Project Agreement with Waco Entrepreneurial Ecosystem Collaborative Inc. dba Start Up Waco: Authorization of First and Final Payment Request. After discussion, Commissioner Perry made a motion to approve F. 1. and it was seconded by Commissioner Snell. A vote being called for, voting in favor of said motion was Judge Felton, Commissioner Snell, Commissioner Jones and Commissioner Perry. It is ordered by the Court that said Authorization be, and the same is hereby, approved by unanimous vote.

**WACO MCLENNAN COUNTY ECONOMIC DEVELOPMENT
CORPORATION**

**P.O. Box 1220
Waco, Texas 76703-1220
(254) 757-5600**

May 15, 2018

Judge Scott Felton
County Judge
McLennan County
P.O. Box 1728
Waco, Texas 76703

Re: Payment Request First & Final
Waco Entrepreneurial Ecosystem Collaborative, Inc. dba Start Up Waco

Dear Judge Felton:

I am attaching a copy of the first and final payment request for the funding support as outlined in the Economic Development Grant Program Project Agreement #2018-272 dated February 6, 2018 for Waco Entrepreneurial Ecosystem Collaborative, Inc. dba Start Up Waco.

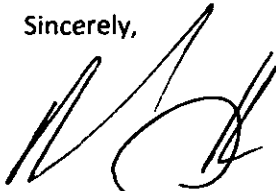
The amount of this request is in accordance with Waco Entrepreneurial Ecosystem Collaborative's contractual obligations as stated in the Program Project Agreement. Waco Entrepreneurial Ecosystem Collaborative will renovate, improve electronic infrastructure, furnish, and equip the facility located at 605 Austin Avenue in Waco, Texas to provide individual and collaborative work spaces, conference areas, and other elements to carry out Project Activities. The \$750,000 will be payable to the Waco Foundation on behalf of the Waco Entrepreneurial Ecosystem Collaborative, Inc. dba Start Up Waco.

Our team submits this draw request for payment.

The County's portion of this payment request is one-half of the total or \$375,000.

If you have other questions or need additional information, please let me know.

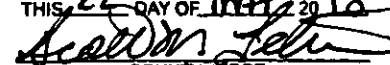
Sincerely,

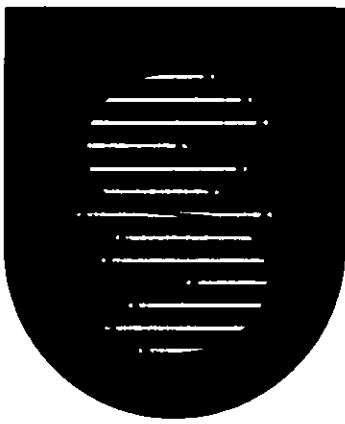


Matthew T. Meadors
Administrator

Enclosures

Received: _____

COUNTY'S PORTION OF \$375,000
APPROVED BY COMMISSIONERS COURT
THIS 22 DAY OF MAY 20 18

COUNTY JUDGE



START UP WACO

605 Austin Ave. Waco, TX 76706

StartUpWaco.com

May 15, 2018

Honorable Scott Felton
Waco McLennan County Economic Development Corp.
PO Box 1220
Waco, TX 76703

RE: Start Up Waco Draw Request

Judge Felton,

Thank you for the support of the Waco McLennan County EDC in building out Greater Waco's entrepreneurial ecosystem and the Hustle Co-Working space. The Waco Entrepreneurial Ecosystem Collaborative, Inc. dba Start Up Waco is working diligently with partners to bring the co-working space online.

Construction will commence within the coming weeks. Start Up Waco respectfully requests disbursement of funds, \$750,000, to the Waco Foundation. As set forth in our program project agreement, Waco Foundation will oversee the payments to contractors and vendors for the site renovations, following verification of satisfactorily completed work by both the architect and WMCEDC administrator.

Again, we thank the City of Waco and McLennan County for your support of this important initiative. If you have any questions, please do not hesitate to contact me.

Best regards,

Gregory W. Leman
Executive Director

J.A. "ANDY" HARWELL, County Clerk
McLennan County, Texas

FILED: MAY 22 2018

By Myrcetez Gowan DEPUTY

ORDER ADJOURNING SPECIAL SESSION

On this the 22 day of May, 2018, at 4:14 o'clock p.m. County Judge Scott Felton announced that the meeting of May 22, 2018 is adjourned.

ITEMS DEFERRED, AGENDA, MAY 22, 2018

On this the 22 day of May, 2018, upon motion made, seconded and duly passed by unanimous or majority vote, it is ordered by the Court that the following Items on the Agenda for May 22, 2018, be, and the same are hereby, deferred:

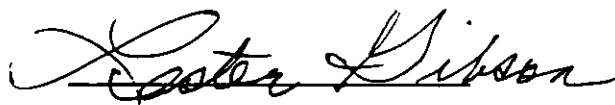
- E. McLennan County / Heart of Texas Fair Area Venue Project:**
 - 2. Discussion and Possible Action on Establishing Final Ranking of Firms Seeking to Serve as Construction Manager-at-Risk for the Venue Project, and Selection of the Top Ranked Firm for Purposes of Starting Negotiations for a Construction Manager-at-Risk Agreement for Phase 1 Services

APPROVAL OF MINUTES

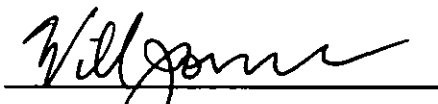
The above and foregoing minutes having been read in open Court and found to be correct, the same are hereby, approved this the 29 day of May , 2018.



**Kelly Snell,
Commissioner Precinct 1**



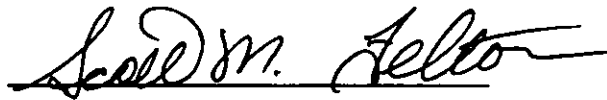
**Lester Gibson,
Commissioner Precinct 2**



**Will Jones,
Commissioner Precinct 3**



**Ben Perry,
Commissioner Precinct 4**



**Scott M. Felton,
County Judge**

**ATTEST: J. A. "Andy" Harwell,
McLennan County Clerk**

By  Deputy County Clerk
Myrce tez Gowan