

WOODWAY CITY COUNCIL MINUTES

May 22, 2023

The Woodway City Council met in a regular meeting in the Donald J. Baker Council Chambers at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on Monday, May 22, 2023, at 5:30 p.m. The following individuals were in attendance:

Mayor:	Amine Qourzal
Councilmembers:	David Russell, Storey Cook, Gayle Avant, Janell Gilman, John Williams and David Keyston
Absent:	None
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	Lenny Caballero, Brenda Hernandez, John Norman, Bret Crook, Kahlil El-Halabi, Todd Gill and Keith Lowrey
Contract Staff:	David Shaw, City Attorney

CALL MEETING TO ORDER

Mayor Qourzal called the meeting to order at 5:30 p.m.

INVOCATION AND PLEDGE

1. INVOCATION

Councilmember Gilman provided the invocation.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the United States Flag was recited in unity

Councilmember Avant arrived at 5:32 p.m.

ANNUAL ORGANIZATION OF THE CITY COUNCIL

3. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-23-10, DECLARING THE RESULTS OF THE MAY 6, 2023, GENERAL CITY ELECTION

Mayor Qourzal called for a motion to open this item for discussion. Councilmember Russell moved to open the item for discussion and Councilmember Avant seconded.

Dr. Oubre provided the official election day was May 6, 2023. The Canvassing Board met on May 17th with total votes cast of 2581. In Ward 1, Place 1, David Mercer received 599 votes and David Keyston received 688 votes. In the At-Large seat, Gregg Glime received 589 votes and David Russell received 705 votes. The Canvassing Board declared the elected officials as David Keyston and David Russell.

Councilmember Williams moved to adopt Resolution R-23-10, declaring the results of the May 6, 2023, City Council election. Councilmember Gilman seconded, and the motion passed unanimously.

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4. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEMBERS

City Secretary, Donna Barkley administered the Oath of Office to David Russell (At-Large) and David Keyston (Ward 1, Place 1). Both Councilmembers took their seats with the Council.

5. CONSIDER ACTION ON APPOINTMENT TO OFFICE OF MAYOR

Mayor Qourzal moved to open the item for discussion and Councilmember Gilman seconded.

City Attorney, David Shaw, stated that Items 5 and 6 are the appointments of the Office of Mayor and Mayor Pro Tem. First, we have opened Item 5 to consider action on appointment to Office of Mayor. The procedure will be for the Council to nominate and discuss among themselves for this appointment. Before opening the floor to the Councilmembers for these nominations, citizens are invited to speak on this item.

The following Woodway citizens spoke in support of David Russell for Mayor:

- Nancy Goebel
- Lori Whitsell
- Barbara Tipton
- Richard Maker
- Diane Pallage
- Patty Notgrass
- Tara Nance

The following Woodway citizens spoke in support of Amine Qourzal for Mayor:

- Eric Terrazas
- Caleb Loudamy
- Dave Whitby
- Bruce Woodhouse
- Jan Smith
- Kevin Tankersly
- Barbara Grandy

Mr. Shaw opened the floor for nominations for the office of Mayor. Councilmember Gilman nominated Amine Qourzal, and Councilmember Cook seconded the nomination. Councilmember Keyston nominated David Russell, and David Russell seconded the nomination. Mr. Shaw stated that if there are no other nominations, he is requesting a motion to cease nominations. Councilmember Gilman moved to cease nominations and Councilmember Williams seconded.

Councilmember Avant stated that he appreciated the comments of all. He had the pleasure of serving briefly under Amine's predecessor and we had remarkably good government. He also stated that we have had remarkably good government under his leadership. He is confident if either Amine Qourzal or David Russell gets elected as Mayor, we will continue to have good government and he encourages everyone to rest easy on this matter.

Mr. Shaw called for a vote of those in favor of Amine Qourzal for Mayor and Mr. Qourzal was elected to serve as Mayor of Woodway for a term of one year by a five to two vote, with Councilmember Russell and Councilmember Keyston voting against.

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6. CONSIDER ACTION ON APPOINTMENT TO OFFICE OF MAYOR PRO TEM

Mr. Shaw stated that this is nomination for the office of Mayor Pro Tem. The same procedure will follow.

The following Woodway citizens spoke in support of John Williams for Mayor Pro Tem:

- Dave Whitby
- Bruce Woodhouse
- Jan Smith
- Eric Terranzas
- Kevin Tankersly
- Barbara Grandy

The following Woodway citizens spoke in support of David Keyston for Mayor Pro Tem:

- Lori Whitsell
- Barbara Tipton
- Paula Teer
- Linda McGregor
- Richard Maker
- Diane Pallage
- Tara Nance

Debbie Peters supported David Russell or David Keyston for Mayor Pro Tem.

Bruce Hamelin stated that this is something that the Council should decide amongst themselves.

Mr. Shaw opened the floor for nominations for the office of Mayor Pro Tem. Councilmember Avant nominated John Williams, and Councilmember Cook seconded the nomination. Councilmember Russell nominated David Keyston, and David Keyston seconded the nomination. Mr. Shaw stated that if there are no other nominations, he is requesting a motion to cease nominations. Mayor Qourzal moved to cease nominations and Councilmember Gilman seconded.

Mr. Shaw called for a vote of those in favor of John Williams for Mayor Pro Tem and Mr. Williams was elected to serve as Mayor Pro Tem of Woodway for a term of one year by a five to two vote, with Councilmember Russell and Councilmember Keyston voting against.

7. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-23-11, DESIGNATING ROBERT'S RULES OF ORDER NEWLY REVISED (TWELFTH EDITION) TO BE THE COUNCIL'S RULES OF PROCEDURE EXCEPT WHERE IN CONFLICT WITH THE CITY'S CHARTER OR CODE OF ORDINANCES, IN WHICH CASE THE PROCEDURE SET FORTH IN THE CHARTER OR CODE OF ORDINANCES SHALL CONTROL

Mayor Qourzal called for a motion to open this item for discussion. Councilmember Cook moved to open the item for discussion and Councilmember Gilman seconded.

No comments were provided by the City Manager.

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There was no discussion.

Councilmember Russell moved to adopt Resolution R-23-11, designating Robert's Rules of Order Newly Revised (Twelfth Edition) as the Council's rules of procedure. Councilmember Keyston seconded, and the motion passed unanimously.

PRESENTATIONS

8. WOODWAY FORWARD COMPREHENSIVE PLAN UPDATE

Dr. Caballero provided that there was an open session to the public where Kimley Horn gathered all the information and will be submitting it to us and once we receive it we will be forwarding it to the Councilmembers. At this point, we are still moving forward with the Highway 84 Overlay and the overall master plan.

Councilmember Gilman asked if there was a date scheduled for the next meeting with the residents? Dr. Caballero stated that they are working on scheduling another Public Info meeting. Councilmember Russell asked if the next meeting could be scheduled earlier, rather than later? Dr. Caballero stated that Kimley Horn will be providing the City with a timeline and we will then forward to the Council and the Economic Development Committee. Councilmember Keyston asked if this information would be provided in the next newsletter and Dr. Caballero stated that it will be in the next newsletter.

Dr. Oubre also provided that there will be several opportunities for open dialogue. There will be open meetings that include City Council and Planning & Zoning. Kimley Horn will take all this information and bring it to City Council for review.

Councilmember Gilman asked about keeping the survey up on the website? Dr. Caballero replied that it would be on the website and citizens can complete the survey at any time.

Mayor Pro Tem Williams asked if the survey could be on the website's landing page? He would like it to be the first thing you see instead of having to scroll for it. Dr. Caballero will work with the website developer to add a link or pop-up.

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

9. DISCUSSION AND CONSIDER ACTION ON OPTIONS FOR USE OF OLD FAMILY CENTER BUILDING AS PRESENTED BY STAFF

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Avant seconded.

Dr. Caballero stated that is a discussion on what to do with the existing Family Center. Back in 2011, the Council had a desire to build a new Family Center. There was a feasibility study done and a "Condition Report" on that building. In 2019, the Council at the time wanted to build a new and bigger one. There were public meetings and workshops and the Council decided to build where it is being built under the condition that we keep the current Family Center until the new one is built. At that time, we discussed what to do with the existing building but decided to wait until we moved further to see what happens. Some of the things discussed were taking the

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building down due to the condition report, making it more of a pavilion structure or tear it down and make a parking lot. We are here today because the new building will hopefully be turned over to us in November and so now is the time to discuss what to do with the existing one. We put together two options for you. The option we recommend is to refurbish the existing building. We had an architect give us a rough rendering of what we could do with the existing building. Under the condition report in 2019, it stated that it would take about 2 million dollars to actually refurbish with new air condition units and new restrooms. We met with the engineer to see if the foundation and structure were still good and they said it was. This rendering is taking the A/C units, the restrooms and everything out and just leaving it an open pavilion. Inside the pavilion, we can do a variety of things such as pickle ball courts, handicapped playground, putt-putt, etc. Option 2 was to demolish the building and make it a parking lot. We engaged an engineer to tell us how many parking spots we could put there and were told approximately forty-nine (49).

Councilmember Cook asked if this would be paid for with the \$700,000.00 that we are coming in under budget for the new Family Center? Dr. Caballero provided that when the Council approved the new Family Center, we estimated the probable cost at 6.7 million dollars. Through staff and management working together with the architects, engineers and John Erwin Construction, we came under budget and we have about \$700,000.00 left over by the time we finish everything with contingencies. That money is earmarked for the Family Center. The last CFO was always saving for rainy days and in this old building they have about \$700,000.00 in the old construction account. We really have two pots of \$700,000.00 that can only go towards this.

Mayor Qourzal stated that he wanted to make sure that it had handicapped accessibility or handicapped usage. Also, he and Councilmember Keyston both would like to see some senior activities available. Dr. Caballero stated that in the new Family Center, there isn't any programming during the week days, which would allow for a seniors activity center.

Councilmember Keyston asked if there is an option for a swimming pool to be designed in the old Family Center? Dr. Caballero stated that this was looked into in 2019, and it was scrapped due to the cost and the liability plus supervising as well. As always, this is up to the City Council.

Councilmember Russell likes the idea of keeping the existing Family Center as is and make it a Senior Citizen Center. Dr. Caballero provided that the programming for the new Family Center is at night, weekends and outdoors, so the day time use will be completely empty Monday through Friday until 5 p.m. We figured with the space and air-cooled building, we should make use of it and provide a senior center there. There will also be a party room with tables and sound system. Based on the study, if you leave any walls up, you have to have A/C which we would just be wasting money.

There was a lengthy discussion.

Public Comment:

- Barbara Tipton, Woodway resident – Concerned about the open concept and Texas weather effecting the use of all the amenities
- Norm Hoffman, Woodway resident – Question regarding the money set aside – Dr. Caballero explained that it is in the Construction Fund for the original Family Center that Council had put aside to do something with this building. This money has been earmarked to do something with that building.
- Patty Notgrass, Woodway resident – Would like to see misters added. Aesthetically, the renderings look better than a parking lot.

Councilmember Cook moved to authorize the City Manager to move forward in pursuing Option #1 for the existing Woodway Family Center. Councilmember Gilman seconded and the motion passed unanimously.

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10. DISCUSSION AND CONSIDER ACTION TO APPROVE UTILIZING THE DESIGN-BUILD CONSTRUCTION DELIVERY METHOD FOR THE REFURBISHING OF THE EXISTING WOODWAY FAMILY CENTER BECAUSE IT PROVIDES THE BEST VALUE FOR THE CITY, AND AUTHORIZING CITY MANAGER OR HIS DESIGNEE TO ISSUE A REQUEST FOR QUALIFICATIONS IN CONNECTION THEREWITH

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Cook seconded.

Dr. Caballero provided that on the Agenda Item there is a timeline of when this all started and where we are today. This item goes along with the previous Item #9. On the new Family Center, we did a Manager-At-Risk, and went out for Request for Qualifications and picked John Erwin Construction and set a number and they have to build it by this time and this number or it is on them. That was a great method for this. On something this small, it is better to have a Design-Build. They get the design, work with staff back and forth to where we feel comfortable with what we can afford, as to what amenities will be in the shelter. They come up with a number, and if Council agrees to it, they go build it. You get a lot of bids and can pick whoever you want. This is to get approval to start the process.

Councilmember Cook moved to authorize the City Manager to move forward in a Request for Qualifications for a Design-Build Bid to provide scope, design, probable cost, and/or build for the existing Woodway Family Center. Mayor Pro Tem Williams seconded, and the motion passed unanimously.

11. DISCUSSION AND CONSIDER ACTION ON MCLENNAN COUNTY 9-1-1 EMERGENCY ASSISTANCE DISTRICT BOARD OF MANAGERS BALLOT TO FILL THE UNEXPIRED TERM OF SEAT ONE (1)

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Mayor Pro Tem Williams seconded.

Dr. Oubre provided that Chief Crook is currently serving on McLennan County 9-1-1 Emergency Assistance District Board. With his pending retirement, and vacating his seat on the board, there are three nominees to fill his unexpired term. Staff asks that you cast your vote for Khalil El-Halabi to serve the unexpired term.

There was no discussion.

Councilmember Cook stepped away momentarily.

Councilmember Gilman moved to cast vote for Khalil El-Halabi to serve the unexpired term of Seat One on the McLennan County 9-1-1 Emergency Assistance District Board of Managers. Councilmember Russell seconded, and the motion passed unanimously by those councilmembers present.

CONSENT AGENDA

The Consent Agenda consists of non-controversial, routine and budgeted items which require no public hearing. The Consent Agenda is subject to being approved with one single motion; however, the Mayor or any City Councilmember may remove any item from the Consent Agenda for separate discussion and consideration.

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12. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 8, 2023, AT 5:30 P.M.
- B. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE SPECIAL MEETING OF THE CANVASSING BOARD HELD MAY 17, 2023, AT 9:00 A.M.
- C. DISCUSSION AND CONSIDER ACTION ON ANNUAL APPOINTMENTS AND REAPPOINTMENTS TO THE WOODWAY BOARDS AND COMMISSIONS
- D. DISCUSSION AND CONSIDER ACTION TO AWARD A CONTRACT IN RESPONSE TO REQUEST FOR BIDS # 23-05 FOR TATER HILL WELL EQUIPMENT SHED TO BRUNSON METAL ERECTORS, LLC, THE LOWEST RESPONSIBLE BIDDER, IN AN AMOUNT NOT TO EXCEED \$79,740.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS IN CONNECTION THEREWITH
- E. DISCUSSION AND CONSIDER ACTION TO AWARD A CONTRACT IN RESPONSE TO REQUEST FOR BIDS #23-06 FOR THE 2023 MICRO-SURFACING IMPROVEMENTS TO INTERMOUNTAIN SLURRY SEAL, INC., THE LOWEST RESPONSIBLE BIDDER, IN AN AMOUNT NOT TO EXCEED \$300,000.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTS IN CONNECTION THEREWITH
- F. DISCUSSION AND CONSIDER ACTION APPROVING SALE OF CHIEF OF POLICE BRET CROOK'S SERVICE WEAPON, A GLOCK 9MM WITH SN: BTBS718, TO CHIEF CROOK FOR \$285.00 UPON HIS HONORABLE RETIREMENT IN ACCORDANCE WITH TEX. GOV'T CODE § 614.051
13. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Dr. Oubre provided comments on Items C through F. Councilmember Russell moved Item C for individual discussion.

Councilmember Russell moved that the Consent Agenda with Items A, B, D, E and F be approved as follows:

- A. Approve the minutes of the regular City Council meeting held May 8, 2023 at 5:30 p.m.
- B. Approve the minutes of the special meeting of the Canvassing Board held May 17, 2023, at 9:00 a.m.
- D. Award Bid #23-05, for Tater Hill Well Equipment Shed, to Brunson Metal Erectors, LLC, in the amount of \$79,740.00.
- E. Award Bid #23-06, City of Woodway 2023 Micro-Surfacing Improvements, to Intermountain Slurry Seal, Inc., in the amount not to exceed \$300,000.00.
- F. Approve the sale of Chief of Police Bret Crook's service weapon, a Glock 9mm with SN: BTBS718, to Chief Crook for \$285.00 upon his honorable retirement in accordance with Tex. Gov't Code §614.051

Councilmember Avant seconded, and the motion passed unanimously.

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12. C. DISCUSSION AND CONSIDER ACTION ON ANNUAL APPOINTMENTS AND REAPPOINTMENTS TO THE WOODWAY BOARDS AND COMMISSIONS

Mayor Qourzal called for a motion to discuss. Councilmember Russell moved to open this item for discussion and Councilmember Avant seconded.

Councilmember Russell addressed the Nominating Committee and asked if there were more people applying than places available? Councilmember Cook, (Chair of the Nominating Committee) replied that is correct. Councilmember Russell then asked if anyone had called those applicants to recommend trying again next year. Councilmember Cook looked to the City Secretary to respond in which she stated that the process is to wait until after the nominations have been approved and then she will make contact with them and also let them know that their applications will be kept on file in case a vacancy arises during the year. Councilmember Russell thought this might be good for the Mayor or Mayor Pro Tem to give them a call.

Mayor Qourzal invited various board members who were in attendance, to stand and be recognized.

Councilmember Russell moved to confirm appointments to the various Woodway boards and commissions as recommended by the City Council Nominating Committee. Mayor Pro Tem Williams seconded, and the motion passed unanimously.

VISITORS

14. HEAR VISITORS

- Denise Jones, Woodway resident – Asked the Councilmembers to speak into the microphones, because she had trouble hearing.
- Bruce Hamelin, Woodway resident – Commented that the burden is on the Council to come up with a plan for the existing Family Center.
- Dwain Moss, Woodway resident – It is almost property tax time. If taxes stay the same, everybody is looking at a ten percent (10%) or thereabout, increase in property tax values. Also, concerned about lack of transparency.
- Bill Whitsell, Woodway resident – Record election turnout. Feels there is no transparency with this Council. Would like the meetings to be recorded and videoed.
- Dwain Moss, Woodway resident – Would like more involvement and would like to see more information provided to the citizens.
- Barbara Grandy, Woodway resident – Thanked the Councilmembers for being where they are and their leadership. She feels they bring generosity to the community and is very thankful for the hours they spend preparing for Council meetings, committee meetings, liaison meetings, public meetings and public events. Sometimes as residents, we forget what you do. She appreciates their willingness to continue to make Woodway the great place it is.

CITY MANAGER AND CITY COUNCIL REPORTS

- ### 15. CITY MANAGER'S REPORT (BRIEFINGS OR UPDATES MAY BE PROVIDED REGARDING CITY SERVICES, ADMINISTRATIVE/PERSONNEL MATTERS, REAL ESTATE/DEVELOPMENT, INFRASTRUCTURE, EVENTS, REGULATIONS, COMMUNITY AND INTERGOVERNMENTAL RELATIONS ISSUES)

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Dr. Oubre recognized Chief Crook for his twenty-seven (27) years of service. He hired on in 1996. Chief Crook notified him in March of this year that his last day will be in July of this year in service to the City. He has served in every capacity within the department. He has served this City throughout raising his family here, continuing his education and growing in being the Chief that he is. He worked really hard to welcome me and my family to this City during my transition.

With the ability this City offers the citizens and the savings of having a combined dual licensed police and fire department is something many people don't know or fail to recognize. In the search for the next appointment of the Public Safety Director, Dr. Oubre started looking internally and looked at things Chief Crook worked on and in bringing people along in the department. He settled on someone who is currently a dual licensed candidate and is known to all of you and has fifteen (15) years of service in this community. He holds a Masters Peace Officer and a Masters Degree in Public Administration. He is working on his doctoral degree in Public Administration. He is appointing Khalil El-Halabi as the next Public Safety Director.

Dr. Caballero is also leaving the City. We are happy for him, but of course have mixed feelings about losing him. He has been here going on four (4) years but has probably done enough work as if he was here for eight (8) years. We are very thankful for his time here and wish him well in his future endeavors.

Mayor Qourzal recognized both Chief El-Halabi and Chief Crook. Chief Crook took a moment to let everyone know that he couldn't ask for a better place to work. He has been through so many councils and police officers. In his opinion, he works for the best community. He also believes that Woodway has the best officers and it will continue without any change. A lot of young guys have been waiting for this opportunity and he is glad they are getting it. He also recognized Captain Todd Gill who has served the City for thirty-six (36) years.

Mayor Qourzal also recognized Dr. Caballero and thanked him for his service to this community.

16. CITY COUNCIL REPORTS

Councilmember Cook provided that the Parks and Recreation meeting is on Thursday, May 25th.

CLOSING ITEMS

17. CONSIDER ACTION ON ADJOURNMENT

Councilmember Avant moved to adjourn the meeting. Councilmember Russell seconded the motion, and the motion passed unanimously. The meeting adjourned at 7:17 p.m.

Donna Barkley, City Secretary

Amine Qourzal, Mayor