

WOODWAY CITY COUNCIL MINUTES

December 11, 2023 – 6:15 p.m.

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, December 11, 2023, at 6:15 p.m. The following individuals were in attendance:

Mayor:	Amine Qourzal
Mayor Pro Tem:	John W. Williams
Councilmembers:	David Russell, Storey Cook, Gayle Avant, Janell Gilman and David Keyston
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	Adam Niolet, Mitch Davison, Khalil El-Halabi and Todd Gill
Contract Staff:	David Shaw, City Attorney

CALL MEETING TO ORDER

Mayor Qourzal called the meeting to order at 6:15 p.m.

PUBLIC COMMENT

1. THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY MATTER, INCLUDING ITEMS ON THE AGENDA, EXCEPT PUBLIC HEARINGS THAT ARE INCLUDED ON THE AGENDA. COMMENTS RELATED TO PUBLIC HEARINGS WILL BE HEARD WHEN THE SPECIFIC HEARING STARTS. PLEASE LIMIT YOUR COMMENTS TO THREE (3) MINUTES PER RESOLUTION R-87-11. THE COUNCIL IS NOT PERMITTED TO TAKE ANY ACTION OR DISCUSS ANY ITEM NOT LISTED ON THE AGENDA. WHEN CALLED TO SPEAK, PLEASE STATE YOUR NAME AND ADDRESS, AND IF SPEAKING ON A SPECIFIC AGENDA ITEM, STATE THE ITEM BEFORE BEGINNING YOUR COMMENTS
 - The following citizens spoke in opposition to the proposed bicycle and pedestrian lanes on Estates Drive: John Fjellanger, Richard Moore, Zak Beck, Rick Hoke and Sandra Karnes.
 - The following citizens spoke in favor to the proposed bicycle and pedestrian lanes on Estates Drive: Rachel Velasco, Bill Swartz, Brett Swartz, Tom Brooks, Matthew Story, Mark Remson, Steven Carl, Curtis Odle, Jane Kittner, Brady Gibson, Barbara Grandy and Sandy Remson.
 - Jean Sury – She voiced her frustration that the item regarding the proposed bicycle and pedestrian lanes on Estates Drive, came back to City Council after it had already been unanimously voted for at a previous meeting.

WOODWAY CITY COUNCIL MINUTES

Page 2

December 11, 2023 at 6:15 p.m.

- Norm Hoffman – Spoke on Item 6C regarding disposal of picnic tables and that he liked the new picnic tables that were installed.

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

2. DISCUSSION AND CONSIDER ACTION ON TERMINATING FOR CONVENIENCE THE TASK ORDER WITH MRB GROUP, PC, TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH THE ESTATES DRIVE AND FAIRWAY ROAD BICYCLE AND PEDESTRIAN CONNECTIONS PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONNECTION THEREWITH

Dr. Oubre presented this item.

Solomon Thomas with MRB answered questions.

Larry Colclasure who prepared the traffic study, provided a background on the areas of the traffic study and answered questions.

There was a brief discussion.

Mayor Qourzal moved to not terminate and continue the task order with MRB Group, PC, to provide engineering services in connection with the Estates Drive and Fairway Road Bicycle and Pedestrian Connections project, and authorizing the City Manager to execute all documents in connection therewith. Councilmember Cook seconded the motion, and the motion passed with a 4-2-1 vote. (Voting Aye - Qourzal, Williams, Cook and Gilman), (Voting Nay – Russell and Keyston) and (Abstaining – Avant)

Councilmember Cook left the meeting at 7:30 p.m.

3. DISCUSSION AND CONSIDER ACTION ON PUBLISHING A REQUEST FOR PROPOSAL FOR A FACILITY CONDITIONS ASSESSMENT FOR THE OLD WOODWAY FAMILY CENTER BUILDING, LOCATED AT 1100 ESTATES DRIVE, WOODWAY, TEXAS

Dr. Oubre presented this item.

There was a brief discussion.

Councilmember Keyston made a motion to move forward with advertising for Proposal for a Facility Conditions Assessment for the old Woodway Family Center building, to interested parties as currently submitted. Councilmember Russell seconded the motion and the motion passed with a 5-1 vote. (Voting Aye – Qourzal, Williams, Russell, Gilman and Keyston) and (Voting Nay – Avant)

WOODWAY CITY COUNCIL MINUTES

Page 3

December 11, 2023 at 6:15 p.m.

4. DISCUSSION AND CONSIDER ACTION ON ENTERING INTO AN AGREEMENT WITH WALKER PARTNERS LLC, TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE WHITEHALL PARKING LOT IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$41,250.00, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONNECTION THEREWITH

Dr. Oubre presented this item.

Mr. Dunlap with Walker Partners was in attendance to answer any questions.

Mayor Pro Tem Williams moved to enter into an agreement with Walker Partners LLC, to provide engineering services in connection with the Whitehall Parking Lot improvements in an amount not to exceed \$41,250.00, and authorizing the City Manager to execute all documents in connection therewith. Councilmember Gilman seconded and the motion passed unanimously by the councilmembers present.

5. DISCUSSION AND CONSIDER ACTION ON ADOPTING ORDINANCE 23-14 REGARDING THE CITY OF WOODWAY, TEXAS MUNICIPAL RETIREMENT SYSTEM OF ADOPTING NON-RETROACTIVE REPEATING COLAS, FOR RETIREES AND THEIR BENEFICIARIES UNDER TMRS ACT §853.404(F) AND (F1) AND ESTABLISHING AN EFFECTIVE DATE OF JANUARY 1, 2024

Dr. Oubre presented this item and a brief TMRS video was played explaining non-retroactive repeating colas for retirees and their beneficiaries.

Councilmember Russell moved to not adopt Ordinance 23-14 regarding the City of Woodway, Texas Municipal Retirement System of adopting non-retroactive repeating colas, for retirees and their beneficiaries under TMRS act §853.404(f) and (f1) and establishing an effective date of January 1, 2024. Councilmember Avant seconded and the motion passed unanimously by the 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.

6. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 13, 2023 AT 5:30 P.M.
- B. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 13, 2023 AT 6:15 P.M.
- C. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-23-20, DECLARING

WOODWAY CITY COUNCIL MINUTES

Page 4

December 11, 2023 at 6:15 p.m.

TWENTY-ONE PICNIC TABLES EXCESS CITY PROPERTY THAT ARE OBSOLETE, UNREPAIRABLE, OR AT THE END OF ITS USEFUL PURPOSE AND AUTHORIZING THE DISPOSAL OF SAME BY RESALE THROUGH PUBLIC AUCTION, SOLD AS SCRAP, DONATED OR DISPOSED OF IF THERE IS NO VIABLE SECONDARY MARKET

- D. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-23-21, SETTING THE 2024 CITY COUNCIL MEETING SCHEDULE
- E. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-23-22, CONFIRMING THE INVESTMENT POLICY OF THE CITY OF WOODWAY
- F. DISCUSSION AND CONSIDER ACTION ON THE PURCHASE OF CLEANING AND TANK PRODUCTS TO CLEAN THE FLOORS OF ALL CITY WATER TANKS NOT TO EXCEED \$71,282.50 FROM CONSOR ENGINEERS, LLC, DBA U.S. UNDERWATER, UNDER THE COOPERATIVE PURCHASING AGREEMENT WITH BUYBOARD, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS IN CONNECTION THEREWITH

Dr. Oubre provided information on items C-F. Councilmember Russell removed items A-B for separate discussion.

Mayor Pro Tem Williams moved that the Consent Agenda Items C-F be approved as follows:

- C. Adopt Resolution R-23-20, declaring property excess to the City's needs and authorizing the disposal of same in the best interest of the City of Woodway
 - D. Adopt Resolution R-23-21, setting the 2024 City Council meeting schedule
 - E. Adopt Resolution R-23-22, confirming the City of Woodway Investment Policy
 - F. Authorize expenditure in the amount of \$71,282.50 to CONSOR Engineer, LLC, for the purchase of cleaning and tank products to clean the floors of all City water tanks and authorizing the City Manager to execute all documents in connection therewith
6. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 13, 2023 AT 5:30 P.M.

Councilmember Russell pointed out that Mayor Qourzal opened the meeting and not Mayor Pro Tem Williams as noted in the minutes.

Councilmember Russell moved to approve the minutes of the regular City Council meeting held November 13, 2023 at 5:30 p.m. with the correction. Mayor Pro Tem Williams seconded and the motion passed unanimously by the councilmembers present.

- B. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 13, 2023 AT 6:15 P.M.

WOODWAY CITY COUNCIL MINUTES

Page 5

December 11, 2023 at 6:15 p.m.

Councilmember Russell pointed out that Mayor Qourzal opened the meeting and not Mayor Pro Tem Williams as noted in the minutes.

Mayor Pro Tem Williams moved to approve the minutes of the regular City Council meeting held November 13, 2023 at 6:15 p.m. with the correction. Councilmember Russell seconded and the motion passed unanimously by the councilmembers present.

EXECUTIVE SESSION

7. NOTICE IS HEREBY GIVEN THAT A CLOSED MEETING WILL BE HELD PURSUANT TO SEC. 551.071 OF THE TEXAS GOVERNMENT CODE TO CONSULT WITH THE CITY ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

Mayor Qourzal closed the meeting at 7:58 p.m.

Mayor Qourzal reconvened the meeting at 8:23 p.m.

OPEN SESSION AND RELATED ACTION

8. Discussion and consider action regarding MDL No. 2:18-mm-2873-RMG class action lawsuits pending in the United States District Court of the Southern District of South Carolina:
 - 1) City of Camden, et al., v. 3M Company, Cause No. 2:23-cv-03147-RMG, pending in the United States District Court, District of South Carolina, Southern District.
 - 2) City of Camden, et al., v. E.I. DuPont de Nemours & Company, Cause No. 2:23-cv-03230-RMG, pending in the United States District Court, District of South Carolina, Southern District.

Councilmember Russell moved to authorize the City to remain in the two stated class action lawsuits. Councilmember Gilman seconded and the motion passed unanimously by the councilmembers present.

CITY MANAGER AND CITY COUNCIL REPORTS

9. 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)

Dr. Oubre provided the following:

- There were staff provided gifts of appreciation for the Councilmembers
- This is the last meeting of the year.

WOODWAY CITY COUNCIL MINUTES

Page 6

December 11, 2023 at 6:15 p.m.

- The City offices will be closed for the holidays on Monday, December 25th and Tuesday, December 26th.
- Garbage and recycling will be pushed a day the week of Christmas.

10. CITY COUNCIL REPORTS

A reminder from Councilmembers Russell and Keyston that there is a Planning & Zoning meeting on Tuesday, December 12th at 5 p.m.

CLOSING ITEMS

11. CONSIDER ACTION ON ADJOURNMENT

Councilmember Russell moved to adjourn the meeting. Councilmember Avant seconded and the motion passed unanimously by the councilmembers present. The meeting adjourned at 8:29 p.m.

Donna Barkley, City Secretary

Amine Qourzal, Mayor