

WOODWAY CITY COUNCIL MINUTES

June 13, 2022 – 5:30 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, June 13, 2022, at 5:30 p.m. The following individuals were in attendance:

Mayor:	Amine Qourzal
Mayor Pro Tem:	David Mercer
Councilmembers:	David Russell, Storey Cook, Gayle Avant, Janell Gilman and John Williams
Absent:	None
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	William Klump, John Norman and Larry Adams
Contract Staff:	Mike Dixon, City Attorney
Registered Guests:	David & Cheryl Keyston, 400 Shadow Mountain Drive, Woodway Roger McCabe, 10813 Rick Dr., Woodway Joe Ortiz, 301 Wooded Crest Dr., Woodway Janine Woodward, 530 Mountain Lake Dr., Woodway Dwain Moss and Jeanie, 802 Forest Oaks, Woodway Lori Whitsell, 431 Woodfall Dr., Woodway Patty Notgrass, 823 Forest Oaks Circle, Woodway David Notgras, 823 Forest Oaks Circle, Woodway Pam Schreiber, 411 Shadow Mountain Dr., Woodway Don Schreiber, 411 Shadow Mountain Dr., Woodway Linda McGregor, 407 Shadow Mountain Dr., Woodway Randy Robison, 1467 Harris Creek, McGregor, TX 76657 Carla Gray, 9000 Ridge Point, Woodway Kris Wright, 14045 Shadow Grove, Woodway Doug Ballard, 14013 Lone Oak Ln, Woodway Marvin Goebel, 14009 Horseshoe Circle, Woodway Nancy Goebel, 14009 Horseshoe Circle, Woodway

CALL MEETING TO ORDER

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

INVOCATION

1. INVOCATION

Councilmember Cook provided the invocation.

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ORGANIZATION OF THE CITY COUNCIL

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

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

Mayor Qourzal opened the floor for nominations for Mayor Pro Tem. Councilmember Avant nominated Councilmember Russell, Councilmember Gilman seconded the nomination.

Mayor Qourzal asked if there were any other nominations. Councilmember Cook nominated Councilmember Mercer, Councilmember Williams seconded the nomination.

Mayor Qourzal called for a vote in favor of Councilmember Russell for the office of Mayor Pro Tem. Councilmember Avant, Councilmember Russell and Councilmember Gilman voted in favor. He then asked for those in opposition of David Russell for Mayor Pro Tem to say “nay”. Councilmember Cook, Mayor Qourzal, Councilmember Mercer and Councilmember Williams voted in opposition. The nomination for Councilmember Russell does not carry.

Mayor Qourzal called for a vote in favor of Councilmember Mercer for the office of Mayor Pro Tem. Councilmember Cook, Mayor Qourzal, Councilmember Mercer and Councilmember Williams voted in favor. He then asked for those in opposition of David Mercer for Mayor Pro Tem to say “nay”. Councilmember Russell voted “nay” and Councilmembers Gilman and Avant abstained. Councilmember Mercer is elected to serve as Mayor Pro Term of Woodway for a term of one year.

PRESENTATIONS

3. PRESENTATION OF YARD OF THE MONTH FOR JUNE

Mayor Qourzal presented the Yard of the Month certificate to the Ortiz Family, represented by Mr. Joe Ortiz, 301 Wooded Crest.

4. UPDATE ON SEWER PROJECT PHASE III

Dr. Oubre provided that the Phase III of the sewer project has begun. Basically, this phase runs from behind City Hall, down into the creek and all the way to Highway 84. A company called D. Guerra is the contractor. CP&Y is our engineering firm of record. Rebecca Carrol is the liaison with the citizens along this area.

Mr. John Norman, Assistant Director of Community Services and Development provided an update on this project. At the moment, they are preparing to test the bypass pumping. They are working to locate

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all the utilities and there will be a bore pit. As soon as they finish testing the piping, they will set up the pumps and then begin excavating to start installing the pipe. It will start right behind this building.

Questions were answered.

ITEMS RELATED TO PROPOSED 2022/2023 ANNUAL BUDGET AND PROPOSED 2022 AD VALOREM TAX RATE

5 INTRODUCTION OF THE PROPOSED 2022/2023 ANNUAL BUDGET

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Dr. Oubre stated that the City Charter requires that he deliver to the Council a proposed budget by August 1 of each year. Also, today you will set the public hearing calendar which we are asking you set it for August 22nd. We will try and schedule one of our first budget workshops done in the upcoming weeks.

Today, we are proposing a balanced budget. The balanced budget you have in front of you is broken down as follows:

- General Fund
- Utility Fund
- Capital Outlay (which are large items)
- Bond Payments
- Salary Survey (will be supplemented at a later date once it is complete)

There is a 5% cost of living adjustment for all employees. The tax rate is lowered from .47 cents to .43 cents.

Dr. Oubre is just presenting this proposed budget for the City Council to review and we will work on it together.

Mayor Qourzal stated that there was an article last week in the Waco Tribune about what the City of Waco is doing for homestead exemptions. As you know, in Woodway, we have not traditionally offered an across-the-board exemption. We have maintained our \$10,000.00 exemption for seniors (sixty-five and older), but not much else. He asked Council for their support in engaging with city staff to ask if there would be any chance to offer a homestead exemption across the board for the citizens. He would also ask them to consider an additional exemption for seniors as well as our disabled citizens. Council is not taking action on anything, he would just like their support in engaging with city staff to do the research. The time-frame is short in order for us to do this. He thinks it would be beneficial to at least start the conversation and start asking what we can do to provide some relief to the citizens in this area. However, he does not want the tax rate to go up. He is asking the City Manager to research, and if it does increase the tax rate significantly then he would like to revisit at a later time.

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6 DISCUSSION AND CONSIDER ACTION ON SETTING THE DATE, TIME AND PLACE TO CONDUCT THE REQUIRED PUBLIC HEARING ON THE PROPOSED 2022/2023 ANNUAL BUDGET

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

Dr. Oubre provided that these are mandated days. Ms. Barkley has provided you with an outlined calendar and those are the dates we will need to take action. We will also schedule any workshops the Council has a need for.

Councilmember Cook moved to set the required public hearing in the proposed budget for August 22, 2022, 5:30 p.m., at Woodway City Hall, 922 Estates Drive; and authorize the City Secretary to publish notice of the scheduled hearing at least fifteen days in advance of it being held. Councilmember Russell seconded, and the motion passed unanimously.

PUBLIC HEARINGS AND RELATED ACTION

7. A. PUBLIC HEARING ON SITE DEVELOPMENT IN A PLANNED DISTRICT (U-HAUL MOVING & STORAGE) LOT 19, BLOCK 10, OF THE WOODWAY CENTER ADDITION TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, LOCATED AT 211 COLONNADE PARKWAY

Mayor Qourzal opened the public hearing.

Dr. Oubre provided the following information: This is a U-Haul property at 211 Colonnade Parkway. The Application to Develop was previously approved and now they are before you for the site development plan. Matt Merrill, Applicant is here to answer any questions. Aerial photos of the property were provided on a PowerPoint presentation.

A question was asked by Linda Carroll, 407 Shadow Mountain regarding whether it was a separate facility than the one already there or is it an extension of it. Dr. Oubre clarified that it is not tied into the existing buildings, and would be a separate building but all run by the same company.

With no one to speak in favor or in opposition, Mayor Qourzal closed the public hearing.

B. DISCUSSION AND CONSIDER ACTION ON SITE DEVELOPMENT IN A PLANNED DISTRICT (U-HAUL MOVING & STORAGE) LOT 19, BLOCK 10, OF THE WOODWAY CENTER ADDITION TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, LOCATED AT 211 COLONNADE PARKWAY

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

Mayor Pro Tem Mercer moved to approve the Site Development Plan in a Planned District (U-Haul Moving & Storage) Lot 19, Block 10, of the Woodway Center Addition to the City of Woodway, McLennan County, Texas, located at 211 Colonnade Parkway. Councilmember Russell seconded and the motion passed unanimously.

DISCUSSION AND CONSIDER ACTION

8. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE PUBLIC SAFETY DIRECTOR TO PURCHASE AXON BODY CAMERAS AND AXON FLEET IN-CAR VIDEO SYSTEMS

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

Dr. Oubre provided that this item is to replace equipment that was originally purchased in 2017 and replaced due to breakage. Axon body cameras were researched by the department as well as some other vendors. The difference between this group and what we had is now most vendors offer unlimited cloud storage, because there is so much being uploaded. We are looking at 35 body cameras and 20 in-car systems with a five-year contract.

Captain Larry Adams provided additional information and answered questions.

Councilmember Cook moved to authorize the Public Safety Director to execute a five-year contract with Axon Enterprise to purchase body-worn and fleet cameras in the amount of \$334,753.61. Councilmember Russell seconded, and the motion passed unanimously.

9. DISCUSSION AND CONSIDER ACTION ON ACCEPTANCE OF APPLICATION TO DEVELOP IN A PLANNED DISTRICT (PHARMACY SUPPLIER) LOT 6, BLOCK 1, BUSH ADDITION TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS LOCATED AT 8801-D WOODWAY DRIVE

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

Dr. Oubre provided that this is for acceptance only of the Application to Develop. Mr. Randy Reid is the applicant. It is scheduled for the first required public hearing at Planning & Zoning June 14th and back to Council on July 11th. An Aerial photo is provided on a PowerPoint presentation of the property.

Councilmember Gilman moved to accept the Application to Develop in a Planned District (Pharmacy

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Supplier) Lot 6, Block 1, Bush Addition to the City of Woodway, McLennan County, Texas located at 8801-D Woodway Drive. Councilmember Russell seconded, and the motion passed with six in favor and one against. Mayor Pro Tem Mercer voted Nay to the process not the application.

10. DISCUSSION AND CONSIDER ACTION ON REVISION OF PREVIOUSLY APPROVED SITE DEVELOPMENT PLAN FOR HEART OF TEXAS SMILES

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

Dr. Oubre provided that this came before the Council on August 10, 2020 City Council meeting where they were going through the final stage of the Application to Develop and Site Development public hearings. He also provided some background information on this item. At the time, the landscaping was approved to create a buffer as it is in the City ordinance. Since then, the Applicant has wanted to make an adjustment. Instead of junipers which was proposed, they are wanting to use a fence panel, shrubs and some pampas grass. We think that this is such a change since it doesn't meet the current ordinance and needs your approval.

Questions were answered by Mr. Norman and there was a brief discussion.

Councilmember Williams moved to disapprove the revision of the previously approved landscaping plan for Heart of Texas Smiles. Councilmember Russell seconded, and the motion passed unanimously.

11. DISCUSSION AND CONSIDER ACTION ON SELECTION OF AMERICAN RESCUE PLAN ACT – ENGINEERING/ARCHITECTURAL/SURVEYING SERVICE PROVIDER TO ASSIST THE CITY IN THE OVERALL IMPLEMENTATION OF PROPOSED CORONAVIRUS LOCAL FISCAL RECOVERY FUND PROJECT(S)

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

Dr. Oubre provided that the follow-up Item 12 is a related matter, just a different profession. The City is receiving approximately two million dollars from the American Rescue Plan. What has been pre-approved in these projects are water, sewer and broad-band projects. We received six proposals from firms in the general area. We used a scoring sheet which was within the submittal to score them. Throughout the process the highest scoring group was Walker Partners located in Waco. The staff is asking for you to approve us to engage the services of Walker Partners for the use of the American Rescue Plan Act monies. They will then determine what projects are the most needed by the City as well as those that qualify and bring that list back to City Council to determine at a later date. We do have deadlines to spend this money.

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There was a brief discussion.

Councilmember Gilman moved to authorize the City Manager to select Walker Partners to provide Engineering/Architectural/Surveying services for the American Rescue Plan Act funding for the City. Councilmember Avant seconded, and the motion passed unanimously.

12. DISCUSSION AND CONSIDER ACTION ON SELECTION OF GRANT MANAGER CONSULTANT SERVICES TO PROVIDE A RANGE OF MANAGEMENT AND ADMINISTRATIVE SERVICES FOR THE AMERICAN RESCUE PLAN ACT FUNDING FOR THE CITY

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

Dr. Oubre provided that this is the follow-up. Same pool of monies, same allotment process, and same type of project. This person is kind of a compliance officer that manages the paperwork through the grant process from picking the project through applying for the funds, reimbursables and closeout. We received two proposals for this service. One from Langford Community Management Services with a quote of \$60,000.00 and one from Traylor and Associates for \$84,000.00. These funds would come from the two-million dollars allotment.

There was a brief discussion.

Councilmember Russell moved to authorize the City Manager to select Traylor and Associates as the Grant Manager Consultant in the amount of \$84,000.00 to provide a range of management and administrative services for the American Rescue Plan Act funding for the City. Councilmember Gilman seconded, and the motion passed unanimously.

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.

- 13. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 23, 2022, AT 2:00 P.M.
- B. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-22-14, SUSPENDING THE JUNE 17, 2022 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE

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CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS

Dr. Oubre provided information on Item B. Mayor Qourzal asked if there were any items to be removed for separate discussion? Mayor Pro Tem requested a revision to the Minutes to show that he was not in attendance at the May 23rd City Council meeting.

A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 23, 2022, AT 2:00 P.M.

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

Councilmember Russell moved to amend the minutes to reflect Mayor Pro Tem Mercer's absence at the May 23rd City Council meeting. Mayor Pro Tem Mercer seconded and the motion passed unanimously.

14. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Councilmember Russell moved that the Consent Agenda be approved as follows:

- B. Adopt Resolution R-22-14, suspending the June 17, 2022 effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities served by Oncor to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals

Councilmember Williams seconded the motion, and the motion passed unanimously.

VISITORS

15. HEAR VISITORS

The following Woodway citizens were in attendance and spoke regarding taxes and homestead exemptions:

- Dwain Moss, 802 Horseshoe Circle, Woodway, TX
- Diana Palich, 808 Forest Oaks Circle, Woodway, TX (gave her three minutes to Mr. Moss)
- Cheryl Keyston, 400 Shadow Mountain Drive, Woodway, TX (gave her three minutes to Mr.

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Moss)

- Linda McGregor, 407 Shadow Mountain – Arboretum and Sewer project
- Doug Ballard, 14013 Lone Oak Ln, Woodway, TX – Sewer Project Phase II

EXECUTIVE SESSION

16. AN EXECUTIVE (CLOSED) SESSION WILL BE HELD PURSUANT TO §551.071 OF THE *TEXAS GOVERNMENT CODE* SO THAT THE CITY COUNCIL MAY SEEK AND RECEIVE ADVICE AND COUNSEL ON PENDING OR THREATENED LITIGATION, SETTLEMENTS, MEDIATIONS, AND LEGAL POSITIONS/CLAIMS OF THE CITY, CONTROVERSIES, AND DISPUTES WHERE THE PROFESSIONAL OBLIGATIONS OF THE CITY'S ATTORNEY TO THE CITY AS CLIENT CONFLICT WITH THE OPEN MEETINGS ACT – PHASE II SEWER SYSTEM CONTRACT DISPUTE

Mayor Qourzal closed the open meeting at 7:01 p.m.

Mayor Qourzal reconvened the open meeting at 7:35 p.m.

CITY MANAGER AND CITY COUNCIL REPORTS

17. 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:

- Office closed on Monday, July 4th in observance of Independence Day
- Next City Council meeting on July 11th
- 4th of July parade

18. CITY COUNCIL REPORTS (BRIEFINGS OR UPDATES MAY BE PROVIDED REGARDING CITY COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS)

Councilmember Cook provided that the Parks and Recreation Commission did not meet due to a lack of quorum.

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CLOSING ITEMS

19. CONSIDER ACTION ON ADJOURNMENT

Councilmember Russell moved to adjourn the meeting. Councilmember Avant seconded the motion, and the motion passed unanimously. The meeting adjourned at 7:37 p.m.

Donna Barkley, City Secretary

David Mercer, Mayor Pro Tem