



AGENDA

Regular Meeting

City Council 4000 Galleria Parkway

Tuesday, April 23, 2024

6:00 PM, City Hall

4000 Galleria Parkway

Bee Cave, Texas 78738-3104

THE CITY OF BEE CAVE COUNCIL MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT KAYLYNN HOLLOWAY AT (512) 767-6641 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.

1. Call meeting to order
2. Roll Call
3. Pledge of Allegiance
4. Recognition and Moment of Silence
 - A. Recognition of Council Member Rebber for his service to the City.
5. Citizen Comments

This is an opportunity for citizens to address the City Council concerning an issue of community interest that is not on the agenda. Comments on the agenda items must be made when the agenda item comes before the Council. Any deliberation of the issue is limited to a proposal to place it on the agenda for a later meeting. Citizens will have up to 3 minutes to make comments.

6. Staff Comments

Each department of the city may present a monthly report to the City Council on informational items only which do not require action. Each department may provide a monthly report regarding department operations and any noteworthy events for council.

- a. City secretary report

- b. Communications report
- c. Financial report
- d. Human Resources report
- e. Library report
- f. Parks and Facilities report
- g. Planning and Development report
- h. Police Department report
- i. City Manager's office report

7. Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public view.

- A. Consider approval of minutes of the regular meeting conducted on April 9, 2024.
 - B. Consider approval of the finance and investment report. (Q1)
8. Discuss and consider action on a Hotel Occupancy Tax Fund application by Lake Travis Youth Association.
9. Discuss and consider approval of Resolution No. 2024-09 adopting the city's policy regarding the usage of social media.
10. Discuss and consider action on Ordinance No. 533 adopting Article 1.06 of the Bee Cave Code of Ordinances, providing for Bee Cave City Council parliamentary rules, providing for order of business and meeting decorum, providing severability and an effective date.
11. Discuss and consider action on Resolution No. 2024-10 creating the City of Bee Cave Development Review Advisory Committee.
The City of Bee Cave Development Review Advisory Committee will be established to serve, as needed, in an advisory capacity to the City Council.
12. Discuss and take action on Resolution No. 2024-11 to create and appoint a Charter Review Committee to assist the City Council in adopting propositions for charter amendments.
This resolution appoints individuals to serve on the Charter Review Committee to serve in an advisory capacity to City Council.
13. Discuss potential alternate members to the Bee Cave Zoning Board of Adjustment.
14. Consider approval of the Interlocal Police Mutual Aid Agreement

between the City of Lakeway and the City of Bee Cave.

15. Close Regular Meeting

16. Open Executive Session

Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551-074 – Personnel Matters-to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; and Section 551.071 - Consultation with Attorney regarding legal issues associated with Charter amendments and processes for amendments. A quorum of the City Council will be present for the executive session.

A. Personnel - City Secretary

B. Consultation with attorney regarding legal issues associated with Charter amendments and processes for amendments.

17. Close Executive Session

18. Open Regular Meeting

19. Consider action, if any, on Executive Session

20. Adjournment

The Council may go into closed session at any time when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session a quorum of the Council must be present, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session.



City Council Meeting
4/23/2024
Agenda Item Transmittal



City Council Meeting
4/23/2024
Agenda Item Transmittal

Agenda Item: 7.A.

Agenda Title: Consider approval of minutes of the regular meeting conducted on April 9, 2024.

Council Action: Consideration & Approval

Department: City Secretary

Staff Contact: Thomas Hatfield-Interim City Secretary

1. INTRODUCTION/PURPOSE

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

ATTACHMENTS:

Description

📄 Council Minutes 4.9.24

Type

Backup Material

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
April 9, 2024

STATE OF TEXAS §
COUNTY OF TRAVIS §

Present:

Kara King, Mayor
Kevin Hight, Council Member
Courtney Hohl, Council Member
Andrew Rebber, Council Member
Andrea Willott, Council Member

Absent:

Andrew Clark, Mayor Pro Tem

City Staff:

Julie Oakley, City Manager
Lindsey Oskoui, Assistant City Manager
Ryan Henry, Attorney
Thomas Hatfield, Interim City Secretary
Jane Kernen, Parks and Facilities Admin Manager
Anna Jensen, Admin Coordinator
Jenny Hoff, Communications Director
Dori Kelley, Business Development Manager
Brittany Graham, Communications Manager
Barbara Hathaway, Library Director
Gretchen Hardin, Assistant Library Director
Carly Pearson, Planning and Development Director
Kevin Sawtelle, City Engineer
Amanda Padilla, Senior Planner
Sean Lapano, City Planner
Rebecca Regueira, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor King at 6:00p.m. on Tuesday, April 9th, 2024.

Recognition and moment of silence

Oath of Office

Statement and oath of office are given by Julie Oakley and Administered by Mayor King.

MOTION: A motion was made by Council Member Hight, seconded by Council Member Rebber, to ratify the appointment and authorize the swearing in of Julie Oakley as the new City Manager.

The vote was taken on the motion with the following result:

Voting Aye: Mayor King, Council Members Hight, Hohl, Rebber and Willott

Voting Nay: None

Absent: Mayor Pro Tem Clark

The motion carried 5-0.

Citizen Comments.

None.

Staff Comments.

Julie Oakley, City Manager, introduced Carly Pearson to the City Council as the new Planning and Development Director.

Consent Agenda.

- A. Consider approval of the minutes of the Regular Session conducted on March 26, 2024.

MOTION: A motion was made by Council Member Hight, seconded by Council Member Holh, to approve consent agenda item A.

The vote was taken on the motion with the following result:

Voting Aye: Mayor King, Council Members Hight, Hohl, Rebber and Willott

Voting Nay: None

Absent: Mayor Pro Tem Clark

The motion carried 5-0.

Discuss and consider action on a Hotel Occupancy Tax Fund application by Lake Travis Youth Association.

Item presented by Julie Oakley, City Manager, to Council.

Scott Kronk speaks as the applicant for the Lake Travis Youth Association' Austin Lacross Invitational seeking Hotel Occupancy Tax funds.

Ryan Henry recommends the Council table this item until the meeting on April 23, 2024, to confirm that this event meets the qualifications to be awarded the funds.

MOTION: A motion was made by Council Member Willott, seconded by Council Member Hight, to table the item until the meeting on April 23, 2024.

The vote was taken on the motion with the following result:

Voting Aye: Mayor King, Council Members Hight, Hohl, Rebber and Willott

Voting Nay: None

Absent: Mayor Pro Tem Clark

The motion carried 5-0.

Discuss and consider action on Ordinance No. 531 adding provisions for uniform collection of residential and commercial waste; providing for a penalty for a violation as a Class C Misdemeanor and a fine in an amount not to exceed \$2000.00; providing that this ordinance shall be cumulative; repealing all ordinances to the extent they are in conflict; providing for severability; and providing an effective date.

Discuss and consider action on Ordinance No. 532 granting an exclusive franchise for the collection of residential solid waste and recycling; providing that this ordinance shall be cumulative; repealing all ordinances to the extent they are in conflict; providing severability; and providing an effective date.

Mayor King requests to hear agenda items 10 and 11 together.

Lindsey Oskoui, Assistant City Manager, presents Ordinance No. 531 and 532 to the Council. She recommends approval of Ordinance No. 531.

Staff recommends the Council authorize Mayor King to make changes to and execute the contract, accompanying signatures by the City Attorney and City Secretary by May 1, 2024, for Ordinance No. 532.

MOTION: A motion was made by Council Member Rebber, seconded by Council Member Hight, to approve Ordinance No. 531; and approve Ordinance No. 532 with staff's recommendations authorizing the mayor to make changes to and execute the contract, accompanying signatures by the City Attorney and City Secretary by May 1, 2024.

The vote was taken on the motion with the following result:

Voting Aye: Mayor King, Council Members Hight, Hohl, Rebber and Willott

Voting Nay: None

Absent: Mayor Pro Tem Clark

The motion carried 5-0.

Discuss and consider action on the Capital Improvements Plan Project PR.TL.02: Vail Divide Drive Right Turn Lane

Lindsey Oskoui, Assistant City Manager, presents item to Council.

Staff recommend removal of the right turn lane from the Capital Improvements Plan.

MOTION: A motion was made by Council Member Willott, seconded by Council Member Hohl, to approve the removal of the Vail Divide right turn lane from the Capital Improvements Plan.

The vote was taken on the motion with the following result:

Voting Aye: Mayor King, Council Members Hight, Hohl, Rebber and Willott

Voting Nay: None

Absent: Mayor Pro Tem Clark

The motion carried 5-0.

Discuss and consider action on a comprehensive policy regarding the standards and use of the City's social media platforms.

Jenny Hoff, Communications Director, presented the reasons for and basic structure of a social media policy for the city.

Ryan Henry, City Attorney, recommends to Council that training on the Texas Open Meetings Act be retaken every few years if members are reelected.

No action taken by Council.

Discuss and consider possible action on an appeal from a decision of the City Manager regarding a Chapter 245 determination of vesting rights for Lot 1, Block A of Summit 56 subdivision, a 6.950 acre tract located on the north side of SH-71 at 15506 W State Highway 71, Bee Cave, Texas.

Executive Session:

The City Council closed Open Session at 6:51p.m. to convene in Executive Session.

At this point in the meeting, Mayor King publicly announced that a closed, executive session would be held and identified the section of the Open Meeting Law under which the meeting would be held. Mayor also announced that item 15 will be discussed in closed session.

Executive session in accordance with the Texas Government Code, Section 551.071 - Consultation with Attorney regarding pending or contemplated litigation or a settlement offer, or on any matters in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. A quorum of the City Council will be present for the executive session.

- A. Discuss and consider possible action on an appeal from a decision of the City Manager regarding a Chapter 245 determination of vesting rights for Lot 1, Block A of Summit 56 subdivision, a 6.950 acre tract located on the north side of SH-71 at 15506 W State Highway 71, Bee Cave, Texas

The City Council closed the Executive Session at 7:15p.m. and reconvened in Regular Session.

In Open Session:

MOTION: A motion was made by Mayor King, seconded by Council Member Hight, to authorize the City Manager and City Attorney to negotiate a consent agreement.

The vote was taken on the motion with the following result:

- Voting Aye: Mayor King, Council Members Hight, Hohl, Rebber and Willott
- Voting Nay: None
- Absent: Mayor Pro Tem Clark

The motion carried 5-0.

Adjournment:

MOTION: A motion was made by Council Member Rebber, seconded by Council Member Hight, to adjourn.

The vote was taken on the motion with the following result:

- Voting Aye: Mayor King, Council Members Hight, Hohl, Rebber and Willott
- Voting Nay: None
- Absent: Mayor Pro Tem Clark

The motion carried 5-0.

The City Council meeting adjourned at 7:15 p.m.

PASSED AND APPROVED THIS ____ DAY OF _____, 2024.

Kara King, Mayor

ATTEST:

Thomas Hatfield, Interim City Secretary



*City Council Meeting
4/23/2024
Agenda Item Transmittal*

Agenda Item: 7.B.
Agenda Title: Consider approval of the finance and investment report. (Q1)
Council Action: Approve as Submitted
Department: City Secretary
Staff Contact: Administration

1. INTRODUCTION/PURPOSE

The purpose of this consent agenda item is to consider approval of the finance and investment report. (Q1)

2. DESCRIPTION/JUSTIFICATION

a) Background

We provide financial and investment reports to the City Council as required each quarter.

b) Issues and Analysis

The report attached covers the period January 1st, 2024, through March 31st, 2024.

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Approve as submitted.

ATTACHMENTS:

Description

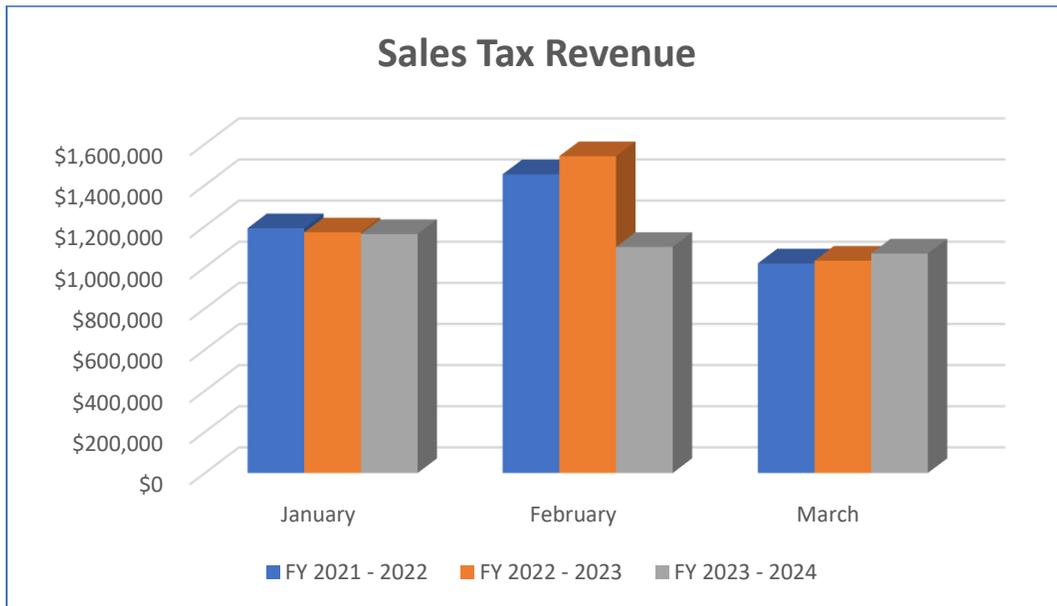
Type

▣ Finance & Investment Report

Backup Material



To: City Manager, Mayor & Council
 From: Finance
 Date: 4/23/2024
 Re: Quarterly Finance & Investments Report



Total Sales Tax revenue through half of the fiscal year is just under \$7M. When compared to prior fiscal years by comparison, we’re down about 2.7%. As the graph above illustrates, the March allocation, unlike prior months, lacks volatility which may be a good sign moving forward. We received our April allocation that represented a slight increase over the previous year; our hope is that the trend continues.

Other General Fund Revenue:

Revenue Description	Budget	FYTD	Perform%
MIXED BEVERAGE TAX	\$165,000	\$82,775	50.17%
FRANCHISE FEES	\$564,000	\$156,505	27.75%
BUILDING FEES	\$376,000	\$508,162	135.15%
MUNICIPAL COURT	\$274,500	\$240,510	87.62%

Building and Development Revenue continues to outperform our budget forecast again due primarily to plan review and permitting fees. Not included in the listing above but should be noted that Property Tax Revenue in our Debt Service Fund is almost complete and totals just over \$610K.



FYTD General Fund Expense by Department:

Department	Budget 9/30/2024	FYTD 9/30/2024	Used
5010 - ADMINISTRATION	\$1,109,234	\$707,811	63.8%
5020 - CITY COUNCIL	\$54,600	\$23,905	43.8%
5030 - LEGAL	\$350,000	\$194,800	55.7%
5040 - COMMUNICATIONS	\$166,534	\$100,387	60.3%
5120 - NON DEPARTMENTAL	\$268,600	\$175,477	65.3%
5140 - INFORMATION TECHNOLOGY	\$431,000	\$184,479	42.8%
5200 - LIBRARY	\$1,150,372	\$551,469	47.9%
5350 - PARKS	\$525,862	\$181,872	34.6%
5650 - FACILITIES	\$359,278	\$190,380	0.0%
5500 - MUNICIPAL COURT	\$394,002	\$190,041	48.2%
5520 - POLICE	\$3,217,994	\$1,875,526	58.3%
5620 - PLANNING & DEVELOPMENT	\$1,125,289	\$532,403	47.3%
5800 - CHAPTER 380	\$1,250,000	\$500,000	40.0%

At the FY midpoint, year-to-date expenses by department total ~\$5.4M or just over 49% overall of the 2023-24 budget appropriation. The Chapter 380 expense reflects the 1st payment to Kent Sports Holdings.

Banking:

	Beginning Balance	Contributions	Withdrawals	Interest Earned	Avg Rate	Ending Balance
Bank Account (Wells Fargo- Pooled Cash)	\$203,968.23	\$10,545,329.50	(\$10,384,192.86)	\$1,082.12	1.0900%	\$365,104.87
Bank Account (Wells Fargo - Govt MM)	\$809,390.27	\$1,200,000.00	(\$1,500,000.00)	\$10,515.85	5.2500%	\$519,906.12
Totals	\$1,013,358.50	\$11,745,329.50	(\$11,884,192.86)	\$11,597.97	3.1700%	\$ 885,010.99

Note the WF Money Market rate performance remains competitive with our other investment pools. As a reminder, we utilize this safe-keeping account to support our pooled-cash primary checking activity.

Investment Performance:

Account	Beginning Balance	Contributions	Withdrawals	Interest Earned	Avg Rate	Ending Balance
Govt Pool (Texas Class)	\$22,145,120.63	\$1,500,000.00	\$0.00	\$318,660.72	5.5011%	\$23,963,781.35
Govt Pool (Logic)	\$15,083,533.37	\$0.00	(\$2,000,000.00)	\$192,895.42	5.5018%	\$13,276,428.79
Govt Pool (TexStar)	\$7,166.33	\$0.00	\$0.00	\$95.24	5.3074%	\$7,261.57
Govt Pool (TexPool)	\$5,414.13	\$0.00	\$0.00	\$72.15	5.3333%	\$5,486.28
Totals	\$37,241,234.46	\$1,500,000.00	(\$2,000,000.00)	\$511,723.53	5.4109%	\$ 37,252,957.99

Our investment pools continue returns exceeding 5%. Our fiscal year-to-date interest earnings total now exceed \$1M and should substantially outperform our revenue estimate forecast. Also, please note that the FY 2022-2023 financial report (audit) has been completed and posted on the City's website. It was circulated to the Mayor and Council previously and is on file with the City Secretary.

Please contact Ms. Alma Sanchez via e-mail at asanchez@beecavetexas.gov with any questions.



*City Council Meeting
4/23/2024
Agenda Item Transmittal*

Agenda Item: 8.

Agenda Title: Discuss and consider action on a Hotel Occupancy Tax Fund application by Lake Travis Youth Association.

Council Action: Discuss and Consider Action

Department: Administration

Staff Contact: Julie Oakley, City Manager

1. INTRODUCTION/PURPOSE

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Please consider tabling this item until the next Council meeting in order to provide additional time for the applicant to amend his proposal.

ATTACHMENTS:

Description	Type
☐ LTYA Lacrosse Toumey Hot TaxApplication	Cover Memo
☐ ALI Presentation (applicant submission)	Presentation



Application for Use of Hotel Occupancy Tax

Organization Information

Organization Name: LYTA

Contact Name: Scott Cronk

Date: 3/9/2024

MM/DD/YYYY

Address: 2101 Lakeway Blvd. Suite 115

Street

Lakeway

Texas

78734

City

State

Zip Code

Phone: 512-689-0958

Email: scott@tylas.net

Is your organization: Non-profit Private/For-Profit Tax ID# 74-1992172

Purpose of Organization:

Deliver youth sports to the community

Statutory Test: Part One

Does your Event/Expenditure pass the statutory test, defined specifically as directly enhancing and promoting tourism in Bee Cave AND directly promoting the overnight accommodation industry in Bee Cave by increasing overnight stays? Yes No

Statutory Test: Part Two

Does your Event/Expenditure pass the statutory test defined specifically as limiting the use of Hotel Occupancy Tax funds to one or more of the following categories? Yes No

1. Funding the establishment, improvement, or maintenance of a convention or visitor information center;
2. Paying the administrative costs for facilitating convention registration;
3. Paying for advertising, solicitations, and promotion that attract tourists and convention delegates to the city or its vicinity;
4. Expenditures that promote the arts;
5. Funding historical restoration or preservation programs;
6. Certain sporting event related expenses;
7. Certain tourist shuttles;
8. Signage directing tourists to attractions frequently visited by hotel guests.

If the answer to one of the two statutory tests is NO, you are NOT eligible for Hotel Occupancy Tax (HOT) funds.

Funding Request

Total Amount Requested: \$ 17,000.00

Does the proposed event plan to become self-supporting in the future? Yes No

Total advertising/promotion budget: \$ 28,500.00

- a) What is your organization's direct contribution to the above? \$ \$9500
- b) What other sources of funding are being applied for or have been received for the advertising/promotion of your organization?
Lakeway HOT Tax
- c) How will the funds be used?
Advertising, Promotion, Field rental fees for the county park and LTISD, security, onsite staff and meals
- d) Please indicate all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Paid Advertising	\$ _____
Radio	\$ _____
Newspaper	\$ _____
Press Releases to Media	\$ _____
Television	\$ _____
Direct Mailing	\$ _____
Distribution of Brochures	\$ <u>5,500</u>
Other (describe)	\$ <u>\$17,000</u>

Along with the application, submit the following as attachments (**required**):

1. Itemized list of relevant expenditures;
2. Marketing plan including target audience and detailed media list;
3. Board of Directors and/or Event Committee with contact information;
4. Event planning timeline;
5. Schedule of all activities.

Please return completed application with attachments and signature to:

City of Bee Cave
4000 Galleria Parkway
Bee Cave, TX 78738
Attn: City Manager re: HOT Application

For additional questions, please contact the Bee Cave City Manager (512) 767-6600.

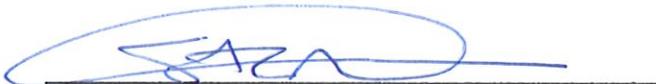
With my signature below, I understand the Hotel Occupancy Tax (HOT) Application, Process, Reimbursement, and all associated Rules Governing the Application established by the City of Bee Cave. I intend to use this funding for the event as described herein to promote the efforts of the City of Bee Cave in enhancing and promoting tourism and the convention and hotel industry by attracting visitors from outside Bee Cave.

I have read the Hotel Occupancy Tax (HOT) Application guidelines including the Rules Governing the Application and the Reimbursement Process.

I understand that if awarded, my request for Hotel Occupancy Tax (HOT) funding by the City of Bee Cave, any deviation from the approved event or the Rules Governing the Application may result in a partial or total withdrawal of the Local Hotel Occupancy Tax (HOT) funding.

Lake Travis Youth Association

Organization Name



Applicant Signature

3/15/2024

Date

**LYA - Austin Lacrosse Invitational
Major Expense Items**

County Park Field Rentals	\$6,000	
LTISD Field Rentals	\$4,000	
On Site Trainers	\$5,400	
Onsite Staff	\$4,500	
Tournament Director	\$5,000	
Referees/Officials	\$16,000	
Onsite Staff & Officials food/Beverage	\$1,500	
Security/Safety/AED's/First Aid	\$8,550	
3rd Party Sales / Marketing / Advertising	\$22,500	Labor, Website, Tourney Machine, Social Media, Brochure, Sales
Year 2 Costs	\$6,000	Tables, Tents, Chairs, Flags, Goals, Score Boards
Balls	\$3,600	
LYA Fees (credit card/insurance/overhead/admin)	\$15,000	
Total	\$98,050	

LTYA - Austin Lacrosse Invitational 2023 Timeline

JUNE-DECEMBER 2023

- Establish Budget
- LTYA Board Approval
- Create Brochure
- Secure Room Blocks
- Secure Field Space
- Create Registration
- Secure Officials/Staff

JANUARY 2024-APRIL 2024

- Start event promotions/sales
- Secure on-site vendors
- Secure Staff and Volunteers
- Order Supplies
- Advise local restaurants of event dates

MAY

- Remind local restaurants of event dates
- Finalize Teams Attending

June

- Finalize Schedules
- Remind local restaurants of event dates*
- Deliver the Tournament
- Daily Social Media During Tournament

LTYA Board of Directors

Duncan Clowe	President	512-589-4058
Melanie Lockhart	Treasurer	512-738-3828
Jenn Buck	Secretary	512-914-4485
Jamal Alsafar	At-Large	512-431-3839
Ryan Hahn	At-Large	512-960-6275
Brian Bulte	At-Large	512-229-5574
Wes Jones	Soccer	512-775-6997
Josh Sanders	Baseball	512-541-0119
Rebecca Marks	Softball	512-750-1229
Hunter Northcutt	Basketball	512-292-9056
Meredith Piccirillo	Volleyball	401-374-3250
Ashley Lewis	Girls Lacrosse	214-668-3115
Kevin Putegnat	Boys Lacrosse	956-459-8880
Spike McBride	Football	512-587-3991

Austin Invitational Lacrosse Tournament Event Committee

Scott Cronk	scott@tylas.net	512-689-0958
Maureen Doane	maureen.doane@ltya.org	617-605-5752
Dom Finn	LTYA Lacrosse	203-570-3445
Chris Delfausse		512-608-5891
Vance Foradory	LTYA	512-694-4563

Austin Lacrosse Invitational Marketing, Advertising and Sales Plan

The primary objective of the marketing, advertising and sales plan is to recruit teams to register to participate in the tournament.

Activities Include the Following:

1. **Dedicated Website Created:** www.austinlacrosseinvitational.com
2. **Brochure created.**
3. **Mailchimp email campaign. Acquired over 100 club contacts and entered into the email list.**
 - a. **Sending regular emails**
4. **Social Media: Instagram is the focus; IG is austinlacrosseinvitational**
 - a. **Added Twitter for sending out scores and promotional notices**
 - b. **Added Facebook for advertising**
5. **Direct Sales; LTYA and retained tournament staff.**
 - a. **In consultation with NXT, a national lacrosse tournament provider, they confirmed that direct sales is likely the most effective means to launch this tournament.**
6. **Press Release to local media and Lacrosse publications**

ALI



AUSTIN LACROSSE INVITATIONAL

2024



TOURNAMENT DATES



June 8-9

AUSTIN LACROSSE INVITATIONAL

Location



Bee Creek Sports Complex



REGISTER NOW

<https://austinlacrosseinvitational.com/home>

Austin Lacrosse Invitational

Presented by LTYA with help from REEF Lacrosse/Iron Horse Lacrosse

June 8th-9th, 2024 Boys Youth Lacrosse Tournament Grades 2 through High School

Goal: Make this an annual destination tournament for out of town and out of state teams

Goal: Deliver a great tournament close to home at first class facilities so our local teams can save the cost of travel

Goal: Deliver on our commitment to support the local economy through hosting tournaments at the Bee Creek Sports Complex and LTISD stadiums

Austin Lacrosse Invitational

2023 in Review....

49 total teams

9 from out of state

26 from outside of Austin

2000 estimated total attendees

125 room nights at the Sonesta

Austin Lacrosse Invitational

2023 in Review....

Sonesta.....

Hi Scott – I think it was a great success – the hotel was busy with the players and their families – and I think they really enjoyed the pool as well! And yes we were sold out of double rooms.

I am glad that you emailed me as I wanted to see who was the best person for me to connect with for future events at Field of Dreams..... Is it you or is it a variety of individuals?

Feedback....

I'm a Dad, of 2 D1 athletes, and been going to lacrosse and all sorts of sport tournaments for 15 years from coast to coast and this was by far the best I've ever been to.

Loved the area, the shopping, the restaurants. Everything was great.

Austin Lacrosse Invitational

Bee Creek Sports Complex



Austin Lacrosse Invitational

Website: austinlacrosseinvitational.com

Brochure:



ALI AUSTIN LACROSSE INVITATIONAL **2024**

Lakeway TEXAS City of BEE CAVE

TOURNAMENT DATES
June 8-9

Location
Bee Creek Sports Complex

REGISTER NOW

<https://austinlacrosseinvitational.com/home>

The brochure features a central circular logo with a lacrosse stick and ball, set against a sunset background. It includes logos for Lakeway Texas and the City of Bee Cave. The text is arranged in a clean, modern layout with a color palette of teal, yellow, and white.



RECREATION
FIELDS TO LAKE IN 15 MINUTES

BOAT/JET SKI RENTALS PARTY BOATS FOR THE ENTIRE TEAM

WATERLOO ADVENTURES LAKE TRAVIS ZIPLINE

BARTON SPRINGS COTA- GO KARTING

This section highlights various recreational activities available near the venue. It features six small images: boat and jet ski rentals, party boats, Waterloo Adventures water park, Lake Travis Zipline, Barton Springs swimming area, and COTA Go Karting. The text is in a bold, teal font.



FACILITIES

BEE CREEK SPORTS COMPLEX
4440 BEE CREEK RD
SPICEWOOD, TX 78669
*NEW TURF FACILITY

2033, 2032, 2030,
2029, 2028, 2027

This section provides information about the venue's facilities. It includes an aerial photograph of the Bee Creek Sports Complex, showing multiple green turf fields and surrounding areas. The text is in a bold, teal font.

Austin Lacrosse Invitational

Email Marketing & Direct Sales



Lakeway TEXAS **CITY OF BEE CAVE** **AUSTIN LACROSSE INVITATIONAL 2024**

Get special discount for entering 3+ teams

June 8th-9th

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2024



ALI **AUSTIN LACROSSE INVITATIONAL 2024**

Lakeway TEXAS **CITY OF BEE CAVE**

TOURNAMENT DATES
June 8-9

Location
Bee Creek Sports Complex

REGISTER NOW

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2024



CITY OF BEE CAVE **AUSTIN LACROSSE INVITATIONAL**

Lakeway TEXAS

June 8th-9th 2024

REGISTER NOW

www.austinlacrosseinvitational.com

2024

Special Discount For Entering 3+ Teams

Austin Lacrosse Invitational

ALI Status

Capacity is 72 teams with 12-18 players per team; 30-45 total people per team

When we reach capacity , we will have 3000 +/- people in town for this event

We have approximately 50 teams that told us they are coming - 2000 attendees +/-

We expect 2024 to be a lot like 2023

Austin Lacrosse Invitational

Questions?



City Council Meeting
4/23/2024
Agenda Item Transmittal

Agenda Item: 9.

Agenda Title: Discuss and consider approval of Resolution No. 2024-09 adopting the city's policy regarding the usage of social media.

Council Action: Discuss and Consider Action

Department: City Secretary

Staff Contact: Jenny Hoff, Director of Communications

1. INTRODUCTION/PURPOSE

The City of Bee Cave Social Media Policy focuses on operations of social media sites, along with guidance when using social media in a professional capacity.

2. DESCRIPTION/JUSTIFICATION

a) Background

The Director of Communications presented to city council considerations regarding the adoption of a social media policy at the meeting on April 9, 2024. These considerations included background on the recent Supreme Court case impacting local government social media sites and the First Amendment. In addition, she discussed how the policy would protect and provide guidance for elected officials, committee members, and city staff.

b) Issues and Analysis

The policy covers the general governance of the City's social media sites, acceptable uses, design and content, security, guidance on public comment sections and interactive features, and how the accounts are organized.

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

The communications team is seeking approval of the attached resolution.

ATTACHMENTS:

Description	Type
☐ Resolution No. 2024-09	Resolution Letter
☐ City of Bee Cave Social Media Policy	Backup Material

CITY OF BEE CAVE, TEXAS

RESOLUTION NO. 2024-09

**A RESOLUTION OF THE CITY OF BEE CAVE,
TEXAS, ADOPTING THE CITY'S POLICY
REGARDING USAGE OF SOCIAL MEDIA.**

- WHEREAS, The City of Bee Cave has set up and operates on multiple social media sites;
and
WHEREAS, There is currently no comprehensive City policy to govern the use of the City's
social media sites; and
WHEREAS, Usage of social media sites by city employees and Board and Commission
members raises various issues relating to professionalism, transparency,
supporting community awareness, Open Meeting Act concerns and acceptable
use; and
WHEREAS, The City Council finds it appropriate to provide formal written standards and
procedures for the appropriate use of social media in conducting City business.

**NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Bee Cave,
Texas that:**

Section 1. The foregoing recitals are incorporated into this Resolution by reference as
findings of fact as if expressly set forth herein.

Section 2. The City Council hereby adopts and approves the Policy Regarding Usage of
Social Media (April 2024) attached hereto as Exhibit "A".

Section 3. The meeting at which this Resolution was passed was open to the public, and
public notice of the time, place and purpose of said meeting was given as required by the
Open Meetings Act, Texas Government Code, Chapter 551.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2024.

CITY OF BEE CAVE, TEXAS

KARA KING, Mayor

ATTEST:

Thomas Hatfield, Interim City Secretary

APPROVED:

Ryan S. Henry, City Attorney



BEE CAVE
TEXAS

Simply Elevated

Policy Regarding Usage of Social Media

April 2024

I. Executive Summary

This document outlines the policies and procedures for use of all City of Bee Cave (City) social media sites such as Facebook, Twitter, Instagram, LinkedIn, Nextdoor and YouTube. The policy outlines operating standards for the creation and use of social media sites and content, along with standards related to personal and professional use as a City employee and committee or board member.

II. Purpose

The purpose of this policy is to provide standards and procedures for the appropriate use of social media in conducting City business. While this generally applies to the most popular sites, such as Facebook, Instagram, LinkedIn, YouTube, Nextdoor and Twitter, it is acknowledged that social media is an evolving communications tool and that new resources may become available or discontinued over time. This policy also covers use of social media by City employees both in their professional and personal capacities.

III. Definitions

- A. "Social Media" are third-party websites, which allow for the creation of content and dialogue around a specific issue or area of interest.

- B. “City Social Media Sites” are those pages, sections or posting locations in or on Social Media websites that are established or maintained by an employee of the City who is authorized to do so as part of the employee’s job, and that are used to conduct City business, communicate with officeholders or City staff, and/or communicate with or gather feedback from residents and other interested parties.
- C. “City Social Media Content” is information posted or provided to a City Social Media Site by a City employee (or authorized representatives) when such activity is a part of the employee’s or the representative’s job duties.

IV. General Governance of City Social Media Sites

- A. **Site Creation:** City Social Media Sites may contain information that represents the City’s position on policy issues and/or the positions of its leadership, or may create the appearance of representing such positions. For this reason, all City Social Media Sites shall be approved by the Communications Director in advance of creating the site. Those wishing to launch a new City Social Media Site or new pages on a City Social Media Site shall present a business case to the Communications Director explaining how the new site or page will further the goals set out in this Policy.
- B. **Password Information:** All City Social Media Site login and password information shall be kept in a secure location with the Communications Director and individually distributed to those authorized to use specific sites and pages. All such information is property of the City and must be provided to the Communications Director who shall keep such information secured.
- C. No City Social Media Site will be approved without the designation of a specific departmental representative assigned responsibility for maintenance of the resource.
- D. All City Social Media Sites must be catalogued by our 3rd party archive provider.
- E. Employees and representatives creating or posting information to a City Social Media Site must conduct themselves at all times as representatives of the City and in accordance with all relevant Human Resources policies and administrative bulletins, including memos and emails.
- F. Employees and representatives found in violation of any part of this policy may be subject to disciplinary action, up to and including termination.
- G. The Communications Director is authorized to disable a City Social Media Site or prohibit posting of City Social Media Content to a site in the exercise of reasonable discretion. Reasons for doing so include (but are not limited to) any violation of any part of this policy, unprofessional use of the resource, lack of use or disinterest by the public, or a department’s failure to maintain the site.

- H. Individual staff members and committee members managing or posting on City Social Media Sites or on specific topics related to city business shall participate in City-sponsored or approved ethics and social media training at least once a year. Such individuals shall also comply with any other trainings required by law due to access to City computers and systems.

V. Acceptable Uses

City staff representing the City on City Social Media Sites and applications in the course of their assigned duties and responsibilities are bound by existing city policies and standards, including but not limited to:

- Applicable state, federal and local laws, regulations, ordinances, charter provisions and City policies.
- All information and technology security guidelines, procedures and policies.
- Existing City standards of conduct, ethics, rules and policies.
- The Texas Public Information Act and other applicable state records-retention laws and City schedules for retention.

Personal Responsibility:

All city employees and representatives must be cognizant that how they present themselves on social media applications reflects on the City whether with respect to City Social Media Sites or personal ones. Public and private or personal and professional avenues of communication may easily become blurred and result in inappropriate use or content.

In all applications, the following shall apply:

- A. **Confidentiality:** Employees and representatives shall not post or use proprietary, confidential, sensitive or individually identifiable information or divulge City intellectual property (trademarks, copyrights, or patents) in any social media application.
- B. **Disclaimers:** If employees or representatives refer to or identify themselves as city employees or representatives on personal Social Media Sites, use of a disclaimer is mandatory (except on LinkedIn if the staff member identifies as a City of Bee Cave employee). (e.g. *“While I work for the City of Bee Cave, anything I publish is my personal opinion and not the opinion or position of the City of Bee Cave, or a reflection of the City’s policies.”*).
- C. **Personal vs. Professional Use:** Employees’ personal social media shall remain personal in nature and shall not be used for work-related purposes or to conduct official City business. Employees shall not use their city e-mail account or password when accessing personal social media accounts (unless they are required to be linked, like Facebook).
- D. **Use of City Resources:** Employees may use city-owned assets and equipment or resources (computers and cell phones) to access City Social Media Sites on a limited basis, unless it is

otherwise part of their duties, in which case there is no limit on such access. Department directors will determine level of access assigned to authorized users and the limits of non-business use in their respective departments.

E. **Ethical Obligations:** City ethical rules shall be followed at all times.

Professional Responsibility:

All city-related communications made through social media applications shall remain professional in nature. Employees are expected to use good judgment and take personal and professional responsibility for any content they make public via social media.

Communication Quality:

Authorized employees shall use good judgment and accuracy in all City Social Media Content. Errors and omissions reflect poorly on Bee Cave and may result in liability for the City or City officials. In addition to the Professional Responsibilities listed above, authorized City staff shall refrain from any social media activity that is inconsistent with, or that reasonably could be expected to cause confusion, miscommunication, or false impressions in the community. Employees are cautioned to be respectful and professional to everyone, including fellow personnel, organizations, residents and businesses.

VI. Design and Content of City Social Media Sites

- A. City Social Media Sites are focused and limited in scope and topic, and complement rather than replace the City’s existing web resources. General “departmental” pages and associated content shall be showcased to the best extent on the City’s website.
- B. Information that is proprietary, attorney-client privileged, subject to state or federal privacy laws, and information not subject to disclosure under the Texas Public Information Act shall NOT be posted on a City Social Media Site. Any questions concerning this standard shall be directed to the Communications Director.
- C. A clear statement of the intent, purpose and subject matter of the site, as well as a statement clearly articulating that all content and comments posted to the site are subject to public disclosure laws, shall be clearly posted on any City Social Media Site where allowable.
- D. All City Social Media Sites shall clearly indicate the portion of the site that is maintained by the City and shall have appropriate City contact information accessible.
- E. Links placed to a City Social Media Site shall only link to a resource on www.beecavetexas.gov, a city-owned website, a state, federal or local government site, an educational website (.edu) or an organization with an official partnership or supportive business relationship with a City department or program. Exceptions to this rule may be made at the discretion of the

Communications Director and/or City Manager, based on the relevance and appropriateness of the request.

- F. Design elements (logos, background, images) shall be appropriate to the subject matter and consistent with the City's Graphic Brand Standards.

VII. Security

City staff needs to take every caution to prevent fraud or unauthorized access to City Social Media Sites. In almost every case there is an attacker who accesses a system without authorization, he/she does so with the intent to cause harm.

City staff using City Social Media Sites should never respond to a message if there is any suspicion it could be a bot or an attacker. The Communications Director and/or IT staff member should be consulted if there is any doubt. No staff member should ever click on a link in a message sent through a City Social Media Site.

Security related to social media is fundamentally a behavioral issue, not typically a technology issue. In general, employees providing the confidential information to third parties pose a risk to the City network. Employees need to be aware of current and emerging threats that they may face using City Social Media Sites and how to avoid falling prey.

Additionally, social media login information shall be kept in a secure location, with password information only shared to those staff members accessing specific accounts. Passwords shall be updated when the staff members that were in charge of those accounts leave the organization, or there is fear that the password information may be compromised. Two-factor authentication shall also be put in place to help limit risk where available.

VIII. Public Comments and Interactive Features

A. City Social Media Sites must be set up in a way that either maximizes public comments or limits the resource to organizational (i.e. City) postings only.

B. Membership to a City Social Media Site shall not be required of members of the public to post comments. If this is not possible, then a City e-mail contact must be posted as an alternative for providing comments.

C. Interactivity and commenting on sites fall within three distinct categories:

1. "Push" sites which do not allow public comments.
2. "Limited forum" sites that clearly define a specific topic for discussion.
3. "Open forum" sites that do not limit the topic of discussion.

D. A City department that creates a City Social Media Site allowing interactivity and public comments should provide a disclaimer on the site that posted comments do not necessarily reflect the views or position of the City. Editing of public comments posted on an “open forum” site by the department that maintains the site is permitted if the comments:

- Clearly violate the Social Media Site provider’s terms of service;
- Contain information about City business or operations that is confidential;
- Would reasonably be considered pornographic, obscene, or defamatory in nature;
- Directly promote or advocate violence or the threat of violence;
- Promote or advocate discrimination based on race, creed, color, age, religion, gender, marital status, national origin, physical or mental disability, or sexual orientation;
- Are solicitations of commerce or promotion of private business enterprises;
- Contain information or a link to inappropriate sexual content;
- Encourage or promote illegal activity; or
- Appear to violate the legal ownership interest of any other party.

E. In addition to the above, in a “limited forum” site comments may be edited if they are clearly off-subject, based on the posted scope and topic.

F. If photos, videos, or other media are solicited through a site, all must be accepted and posted unless they fail to meet the guidelines stated above.

G. All public comments and posted media files inclusive of any edited content must be archived and stored in accord with requirements of Texas and federal laws and City records retention policies.

IX. Centralized Social Media Resources for Facebook, Twitter, Nextdoor, Instagram, LinkedIn and YouTube

A. Unless a justified limited purpose situation is made and approved for a separate account, City Social Media Content posted on Facebook, X, Instagram, LinkedIn, Nextdoor or YouTube shall be coordinated through the City’s Communications Director.

B. The City’s official X site (aka Twitter) is @cityofbeecave and the official X site for the police department is @beecavepolice. The City’s Instagram is @cityofbeecave; the BCPD Instagram page is @protectingthehive. The library also has an Instagram page, and the Communications Department also runs a visitor Instagram page to promote City tourism. The City’s main Facebook channel is @cityofbeecave. Additionally, there are Facebook pages for Bee Cave Parks and Recreation (@beecaveparksandrecreation), the Bee Cave Police Department (@protectingthehive) and the Bee Cave Public Library (@TheBeeCavePublicLibrary). The City’s LinkedIn account is @cityofbeecave. Use of these Social Media Sites are governed by the following guidelines:

- Departments, officials or programs shall contact the Communications Director to coordinate posts to these resources (and other sub-pages that are not listed), unless it has already been

designated that a member of that department has been trained to use the City-Affiliated Social Media Site.

- A separate account may be approved if there is a limited, defined interest purpose for the targeted information.
- City of Bee Cave accounts may “follow” official governmental or educational accounts, or accounts owned by an organization with an official partnership or supportive business relationship with a City department or program. The Communication Director shall make the determination which such accounts to follow.

C. The City maintains an official YouTube channel that serves as the central repository for City-related videos, programs and PSAs. Use of this resource is governed by the following guidelines:

- Departments, employees or City committee members may request a “playlist” be created to feature their videos. Approval of playlists will be made by the Communications Director, in collaboration with the requesting department, employee or City committee.

X. Use of Social Media by Elected Officials and Appointed Board Members

- A. Elected Officials and Appointed Board Members or Directors shall refrain from conducting or commenting on City business on their personal social media pages, when acting in their official capacities. Elected Officials and Appointed Board Members or Directors may share content from City Social Media Sites on their personal pages, but should refrain from providing commentary to the links or otherwise commenting on City business on their private pages, where the public has limited access.
- B. No Elected Officials and Appointed Board Members or Directors shall operate a page where City issues are discussed that does not abide by public forum rules. A non-City related entity may run the page and impose their own rules, but that should not be done by an Elected Official and Appointed Board Member or Director.

XI. Photography and Video Recording

Photography or video recording is permitted at all City of Bee Cave facilities and events on city-owned property, except where posted otherwise. The City of Bee Cave reserves the right to require a person to

leave the premises, cease taking photos, or using a video device if city staff finds such behavior disruptive to normal users of the facilities. ¹

By their use of City of Bee Cave facilities, participants of programs and special events acknowledge there is no expectation of privacy in public areas, programs, and special events. Such participants acknowledge the City of Bee Cave may take photos and videos of themselves and their children for publication in the program brochure, website, and additional uses as the City deems necessary, unless the registrant or participant expressly files a written request as to the use of photos or videos of themselves and/or their children. All professional photography on city-owned property which is intended to be used for resale must be approved through the City of Bee Cave's Communications Department.

User Content

As between a participant or user of a City facility, the users must acknowledge there is no expectation of privacy or exclusivity of possession in such communication with the City by sharing using the City's websites and social media channels, (the "sites") or tagging the City, such as posting or sharing comments, photos, and videos (referred to as "user content").

In addition, by posting user content, users must give the City permission to use user content as follows: by granting to the City a license to reproduce, display, perform, distribute, create derivative works from and otherwise use user content in connection with the sites and for other marketing purposes, including without limitation in print, email, and other communications, city materials and other marketing. The City may display advertisements in connection with user content or on pages where user content may be viewed by others, and the City may use user content to advertise and promote the City.

The City's license for user content is non-exclusive. Such license is perpetual, meaning that our license lasts for an indefinite period of time.

Public Information Notice

The City will inform users posting user content that user content is displayed including social media handles and images. The City collects and processes this information as necessary for compliance with state law.

Business Marketing Request

All professional photography on city-owned property which is intended to be used for resale must be approved through the City of Bee Cave's Communications Department.

¹ Disruptions include, but are not limited to, interfering with other members of the public and their ability to use or enjoy an area at the same time, placing equipment or props which interfere with use of any area, preventing others from taking photographs or video images at the same time, and invading the personal space of individuals in furtherance of the photograph or video.



City Council Meeting
4/23/2024
Agenda Item Transmittal

Agenda Item: 10.

Agenda Title: Discuss and consider action on Ordinance No. 533 adopting Article 1.06 of the Bee Cave Code of Ordinances, providing for Bee Cave City Council parliamentary rules, providing for order of business and meeting decorum, providing severability and an effective date.

Council Action:

Department: City Secretary

Staff Contact: Ryan Henry, City Attorney

1. INTRODUCTION/PURPOSE

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
☐ Updated Ordinance No. 533	Ordinance
☐ Ordinance No. 533	Cover Memo

ORDINANCE NO. 533

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS ADOPTING ARTICLE 1.06 OF THE BEE CAVE CODE OF ORDINANCES, PROVIDING FOR BEE CAVE CITY COUNCIL PARLIMENTARY RULES, PROVIDING FOR ORDER OF BUSINESS AND MEETING DECORUM, PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Bee Cave is a home rule municipality, which has codified its regulations and enforcement; and

WHEREAS, the City of Bee Cave, as a home rule municipality, derives its powers exclusively from its home rule charter and is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, the City Council has determined necessity exists to update, consolidate, and clarify the ordinance setting the rules applicable to public city meetings; and

WHEREAS, the City Council finds this ordinance is necessary for the good and efficient management of the City.

WHEREAS, the City of Bee Cave believes it is important to update the policies and structure of the City's operations from time to times; and

WHEREAS, the City of Bee Cave has determined the necessity to incorporate Meeting Decorum Policy for all open meetings of the city council, city commissions, boards, and committees; and

WHEREAS, the City of Bee Cave finds it is in the best interest of its residents and the general public to adopt the following rules of conduct and decorum; and

WHEREAS, the City of Bee Cave hereby creates the below listed code provisions to govern the operations of the City; and

WHEREAS, while the public may provide information during designated times at public meetings to the City Council, such presentation must be limited to public business in order for the City Council to efficiently and effectively conduct its meetings; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS that Chapter 1, Article 1.06, of the Bee Cave Code of Ordinances is hereby created and passed and shall read as follows:

Sec. 1.06.001 Application of Article

This article shall apply to meetings of the city council and any boards and commissions of the City.

Sec. 1.06.002 Preparation, contents and posting of agenda

- 1) For City Council:** The agenda will be prepared by the city manager or designee, under the direction of the Mayor.¹ Any member of the city council, including the Mayor, may place an item on the agenda as long as they provide the topic and any backup information to the city manager no later than five business days prior to the posting of such agenda.
- 2) For boards and commission:** The placement of items on an agenda for boards and commissions shall be placed by the city manager. The chair or president of the board or commission shall have the authority to place items on the agenda. Any appointed member of a board or commission may request an item be placed on the agenda by making a written request to the chair and city manager no later than five (5) days in advance of the agenda posting.
- 3) The agenda for regular meetings of the city council will include, at a minimum, the following:**
 - a) Determination of quorum and call to order.**
 - b) Pledge of allegiance**
 - c) Citizen's participation.** During which citizens may address the council on any topic of general public interest.
 - d) Each ordinance, resolution, or policy that the Mayor, any single council member, or city staff wishes to have council consider.** Each of these agenda items shall be specifically described and there shall be provision for citizens' comments on each item for which a council vote is planned.
 - e) Approval of minutes of previous meeting(s), if available.**
 - f) Reports of officers and staff**

¹ Official Comment: The City Charter §3.01 states, in part, that the Mayor shall be responsible for the preparation of the agenda for each city council meeting. However, such does not prevent the responsibility from being delegated but subject to the direction of the Mayor.

- 4) Routine matters may be placed on a consent agenda, which will be treated as one agenda item. Before the consent agenda is voted on, any item will be removed at the request of any single member of council and handled as a separate agenda item.
- 5) The agenda for all meetings shall be posted by the city secretary or his/her designee.

Sec. 1.06.003 Presiding officer

- 1) The Mayor (or, in the Mayor's absence, the Mayor Pro Tem) shall preside over all meetings of the city council. In the absence of both the Mayor and Mayor Pro Tem. The senior councilmember, as determined by length of service, shall preside. In the event that two or more council members have the same length of service, the councilmember with the longest city residency shall preside. The chair or president elected or appointed to each board or commission shall be the presiding officer for such board or commission.
- 2) The presiding officer shall preserve order and decorum and is authorized to enforce compliance with the rules contained herein. The presiding officer shall require body members and citizens to limit discussion to the question under consideration and as posted on the agenda.
- 3) The city manager or his/her designee shall be present at all posted council meetings, except when excluded by the council for an executive session.
- 4) Any or all of the provisions of this procedure may be suspended temporarily by a majority vote, except such portions that embody provisions of the charter or of state law.

Sec. 1.06.004 Introduction of agenda items; debate and voting

- 1) The presiding officer must introduce every item on the agenda. The presiding officer may change the order of the agenda. The council or board or commission may elect not to take action on any agenda item.
- 2) Any agenda item before the council or board or commission may be decided only by a motion, a second, and a favorable vote by a majority of the members present and voting (unless state law, the charter, or this division requires more than a simple majority).
- 3) Motions should be "positive" rather than "negative."
- 4) For council meetings:
 - a) The Mayor must introduce each agenda item.
 - b) The Mayor, or the city manager, or the sponsoring councilmember, will present a clear statement of the topic to be considered. This is to be followed by a "citizen participation" period.
 - c) After "citizen participation" is closed, the Mayor will invite councilmember and staff comments. Each councilmember shall be recognized to offer his/her comments at least once. The Mayor shall make comments at this time.

- d) There shall be no limit to the number of times a councilmember may ask for the floor, but a councilmember shall speak only when recognized by the Mayor. Councilmembers' remarks shall generally be addressed to the Mayor, but councilmembers may ask questions of other councilmembers or of the staff. Councilmembers may respond to remarks or questions but will refrain from exchange or remarks with the public except that a councilmember may ask a citizen a question of a factual or technical nature.
 - e) No main motion will be recognized until the Mayor is satisfied that every councilmember has had a reasonable opportunity to present his or her comments on the general topic.
 - f) The Mayor will request a motion and a second. The Mayor may repeat the motion. The Mayor may make a motion.. After a motion has been made and seconded, the Mayor will recognize each councilmember for debate on the motion. The Mayor is not obligated to recognize any councilmember for a second time until every councilmember wishing to speak has been given the opportunity to do so. The Mayor may enter the debate. When the Mayor is satisfied that each councilmember has had a reasonable opportunity to address the motion, the Mayor will call for a vote. Debate will cease and the vote be taken.
- 5) **For Boards and Commission:** boards and commissions may adopt their own rules of procedure for meetings, subject to approval by the city council. If a board or commission has not adopted their own rules and had such rules approved by the city council, boards and commissions must follow the procedures outlined in this section.

Sec. 1.06.005 Parliamentary procedure

- 1) Generally. In regular and special meetings these rules will govern; where the rules are silent, the presiding officer is authorized to determine reasonable rules of procedures; the presiding officer, at his or her discretion, may rely on the most recent edition of Robert's Rules of Order unless they conflict with the city charter or state statutes.
- 2) Main motions. A new main motion may not be brought up for consideration while another main motion is being debated. Each main motion must be disposed of before another is made.
- 3) Secondary motions. During the debate on a main motion, secondary motions may be proposed. The following are the secondary motions, listed in the order of their rank;
 - a) Motion to table the main motion, i.e., lay it aside and go on to the next item on the agenda.
 - b) Motion to request that discussion cease and that the main motion be voted on, i.e., moving to the previous question.
 - c) Motion to limit discussion to a fixed amount of time.
 - d) Motion to postpone action on the proposal until some definite time in the future.
 - e) Motion to refer the proposal to a committee.
 - f) Motion to amend the main motion.
 - g) Motion to postpone action on the proposal to an indefinite future time.

- 4) Privileged motions. Privileged motions may be made at any time. The following are the privileged motions, listed in order of rank.
 - a) Motion to set the time and place of the next meeting other than a regular meeting.
 - b) Motion to fix the time of adjournment.
 - c) Motion to adjourn.
 - d) Motion to recess.
 - e) Motions on questions of privilege.

Sec. 1.06.006 Citizen Participation

- 1) At every regular council meeting there will be a general "citizen participation" period for comments on any topic of general public interest.
- 2) In addition, at every regular and every special meeting, each agenda item for which a council vote is planned will provide a period for "citizen participation" on that particular subject. Such citizen participation shall be completed before council discussion of the topic starts.
- 3) All citizen participation on a topic on the agenda is limited to three minutes per topic. Time may not be allocated to other speakers. Unless additional time is granted by the presiding officer, the time period is cumulative of the topic at the meeting. A citizen may speak on more than one topic and is provided three minutes for each topic on the agenda and a total of three minutes for all topics which are not on the agenda. Unless invited to speak by the presiding officer, all citizens must sign in prior to the start of a meeting in order to be provided with time to present comments.
- 4) Unless invited by the presiding officer to speak at other times, members of the public are entitled to speak only during a citizen participation portion of a council meeting, and then only when recognized by the presiding officer. Speakers should identify themselves by name and street address. The presiding officer may direct that citizen comments be addressed to the council, board, or commission as a whole and not to individual members nor to other members of the audience or the public at large. Members of each body should refrain from responding to citizen comments during the "citizen participation" period (except in the case of questions for which a straightforward factual answer can be given).
- 5) The presiding officer may limit the number of times that a citizen may speak during a meeting. Should there be a large number of persons with essentially the same message, the Mayor may request that they indicate their view by a show of hands. The presiding officer may limit the total amount of time allocated to citizen comments during a meeting.
- 6) Members of the public attending council meetings shall observe rules of propriety, good conduct, and Meeting Decorum Policy, which is attached as Exhibit "A". The Mayor is authorized to remove from the council meeting room and to bar from attending the remainder of the council meeting any person who does not adhere to the meeting rules and Meeting Decorum Policy. In case the Mayor shall fail to act, any member of the city council may move to require the enforcement of the rules, and the affirmative vote of the majority of the council present and voting shall require the Mayor to act.

Sec. 1.06.007– Debate and Order

- (a) **Presiding Officer.** The presiding officer at a meeting shall control the flow and order of the meeting. If an agenda item was requested by city staff, the city manager may summarize the item for the council or may refer to the staff member who requested the item to brief the council, board or commission. If the item was requested by one or more members of the council, board, or commission, the presiding officer must allow the requesting members to summarize the item. Once the purpose for the item has been briefed to the council, board or commission, the presiding officer may encourage either further discussion or call for a motion.
- (b) **Discussion of the Item Without Interruption.** Each council, board, and commission member must be given an opportunity to speak on the item without interruption. The presiding officer is also to be given an opportunity to speak on the item without interruption. The presiding officer must maintain order and not allow interruption of a member who has the floor. The presiding officer must also be allowed to speak without interruption on the item. The presiding officer must allow each member the opportunity to speak at least once before allowing any member to speak on the item a second time. Citizens providing comments and members of the audience may not speak out, interrupt, disrupt, or disturb the debate while members of the council, board or commission are discussing an item or when a presenter is providing information to the council, board or commission.
- (c) **Ruling a Member or Public Out of Order.** When a member of the public, a council, board, or commission member, or anyone else present during the meeting disrupts the meeting, interrupts the person who has the floor, or fails to follow the direction of the presiding officer in the course of maintaining the orderly progression of the meeting, the presiding officer or a member of the city council, board or commission may call that person out of order. Being called out of order applies only to actions taken in a specific meeting and such determinations may not be combined to future meetings.
1. **Presiding Officer.** The presiding officer shall warn a disruptive person, person interrupting the individual who has the floor, or person failing to follow the instructions of the presiding officer they are acting out of order. If the person continues to disrupt, interrupt, or fail to comply with instruction the presiding officer shall instruct the person they are determined to be out of order and to cease such actions or else they will be removed from the meeting. The presiding officer may instruct the person on a proper method to handle an item without disruption. The presiding officer must ensure opinions are expressed, but without disruption to the debate and action process. The presiding officer shall determine if a person is out of order.
 2. **Body members.** If the presiding officer fails to call a person out of order, or is the one interrupting or causing disruption, any member of the city council, board or commission may call the disrupting or interrupting person out of order. The

member may raise a point of order and note either the presiding officer is out of order or that the person interrupting is out of order.

- a. The presiding officer may acknowledge and concede the point or may dispute the point.
- b. If the presiding officer concedes the point, the presiding officer shall instruct the person interrupting or disrupting the meeting to cease such actions, else they may be removed from the meeting.
- c. If the presiding officer disputes the point and the person disrupting or interrupting is not the presiding officer, the presiding officer must explain why the point is disputed. After explanation, the city council, board or commission must vote on whether the person called was out of order or not.
- d. If the presiding officer is the person called out of order and the presiding officer concedes the point, the presiding officer shall cease such disruptive or interrupting actions.
- e. If the presiding officer is the person called out of order and the presiding officer disputes the point, the presiding officer must explain why the point is disputed. After the explanation, any other member of the city council, board or commission may second the point that the presiding officer is out of order. The council, board or commission must vote on whether the presiding officer was out of order or not.

(d) Ejecting a Body Member or Public from Meeting.²

1. If a member of the public is warned, then determined to be out of order by the presiding officer, the presiding officer may have the person removed from the meeting for any subsequent disruptions, interruptions, or failures to follow the presiding officer's instructions which occur at the same meeting. The presiding officer may instruct any law enforcement official to remove the person from the meeting and such law enforcement official must comply with the instruction.
2. If a member of the city council, board or commission is determined to be out of order more than two times during a single meeting, the presiding officer may have the member removed from the meeting. The presiding officer may instruct any law enforcement official to remove the person from the meeting and such law enforcement official must comply with the instruction.
3. If the presiding officer is determined to be out of order by vote of the city council, board or commission more than two times during a single meeting, the presiding

² Official Comment: Removal from a public meeting is a significant remedy. As a result, the purpose of this subsection is to give both the public and members of the council, board, and commission three chances before they are removed. For members of the public, they should receive a warning, then a determination they are out of order, and upon a third violation, they may be removed from the meeting. For members of the council, board or commission, they are not provided a warning, but must be found out of order two times during the same meeting. Upon a finding the third time that a member of the city council, board or commission is out of order, the member may be removed.

officer may be removed from the meeting. If the Mayor is removed under this subsection, the Mayor Pro Tem shall assume control of the meeting. If the Mayor and Mayor Pro Tem are not available to control the meeting, the remaining council person with the most senior tenure on the council shall assume control of the remainder of the meeting.³

4. Nothing in this section prevents a presiding officer or a member of law enforcement from forcibly removing an individual without warning due to an immediate threat of physical violence or harm.

II. CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Bee Cave, except where the provisions of this Ordinance are in direct conflict with the provisions of such other ordinance, in which event the conflicting provisions of such other ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

III. SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Bee Cave. that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional or invalid by final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional or invalid phrases, sentences, paragraphs, or sections.

IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

³ Official Comment: Because the presiding officer's presences during the meeting is of such importance, the ability to remove the presiding officer can only be done by three votes of the city council during a meeting. If the presiding officer concedes any point of order raised by a council person, such concession shall not be used against the presiding officer for purposes of removal. However, multiple concessions during a meeting can be considered for purposes of considering an ethics complaint raised against the presiding officer.

DULY PASSED ON FIRST READING, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Bee Cave, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Bee Cave, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF BEE CAVE, TEXAS

Kara King, *Mayor*

ATTEST:

Thomas Hatfield, *Interim City Secretary*

APPROVED:

Ryan Henry, *City Attorney*



Members of the public are invited and encouraged to attend any sessions of the City Council that are not closed to the public in accordance with the Texas Opening Meetings Act. Meeting Rules and Procedures along with the Meeting Decorum Policy are established by ordinance and apply to all open meetings of the City Council. City Boards, commissions, and committees. The presiding officer of the meeting will ensure that the decorum of the meeting is maintained and is appropriate.

City of Bee Cave Meeting Decorum Policy

I. Application

- The City of Bee Cave meeting decorum policy is applicable to all those in attendance of the city's public meetings, including the public, media, councilmembers and city staff.
- All persons in attendance shall mute all hand-held devices including laptops.
- While the public is invited to attend all meetings (with the exception of executive sessions) and encouraged to attend, the public's participation is limited to that of observers unless a member of the public makes a proper request to address the body to speak during the designated time. A call for comments during a public hearing qualifies as a properly designated time to allow a member of the public to speak.
- The City Council has expectations that all members of the public will be courteous and respectful to others, will be patient when listening to others speak, will not interrupt when others are speaking, and will be mindful of everyone else's time.
- Each person attending the meeting will refrain from private conversations while the meeting is in session.
- Reactions from the audience following the recognition of citizens and other guests are considered appropriate and encouraged. Reactions from the audience during staff presentations to the council, citizen participation and during council discussion are not appropriate and are not permitted. This includes but is not limited to clapping, cheering, booing, stamping of feet, whistling, shouting, and other audible behaviors.
- All members of the public will wear appropriate attire, including being fully clothed, having shoes or sandals, and be groomed in a sanitary manner.

- All persons present at a meeting have an obligation to obey the presiding officer, who holds the duty to maintain order.
- All persons shall not leave trash, debris, discarded papers, or other items brought into the meeting chambers. All persons must take out what they bring in.
- Any person making personal, rude, impertinent, profane, or slanderous remarks or who becomes boisterous when addressing the councilmembers or while attending a meeting may be removed from the meeting room at the request of the presiding officer.
- During the conduct of official business, members of the news media shall refrain from conducting interviews with other persons in the meeting room.
- Any person using a recording device or camera may be directed by city staff to a designated area in the meeting room.

ORDINANCE NO. 533

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS ADOPTING ARTICLE 1.06 OF THE BEE CAVE CODE OF ORDINANCES, PROVIDING FOR BEE CAVE CITY COUNCIL PARLIMENTARY RULES, PROVIDING FOR ORDER OF BUSINESS AND MEETING DECORUM, PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Bee Cave is a home rule municipality, which has codified its regulations and enforcement; and

WHEREAS, the City of Bee Cave, as a home rule municipality, derives its powers exclusively from its home rule charter and is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, the City Council has determined necessity exists to update, consolidate, and clarify the ordinance setting the rules applicable to public city meetings; and

WHEREAS, the City Council finds this ordinance is necessary for the good and efficient management of the City.

WHEREAS, the City of Bee Cave believes it is important to update the policies and structure of the City's operations from time to times; and

WHEREAS, the City of Bee Cave has determined the necessity to incorporate Meeting Decorum Policy for all open meetings of the city council, city commissions, boards, and committees; and

WHEREAS, the City of Bee Cave finds it is in the best interest of its residents and the general public to adopt the following rules of conduct and decorum; and

WHEREAS, the City of Bee Cave hereby creates the below listed code provisions to govern the operations of the City; and

WHEREAS, while the public may provide information during designated times at public meetings to the City Council, such presentation must be limited to public business in order for the City Council to efficiently and effectively conduct its meetings; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS that Chapter 1, Article 1.06, of the Bee Cave Code of Ordinances is hereby created and passed and shall read as follows:

Sec. 1.06.001 Application of Article

This article shall apply to meetings of the city council and any boards and commissions of the City.

Sec. 1.06.002 Preparation, contents and posting of agenda

- 1) **For City Council:** The agenda will be prepared by the city manager or designee, under the direction of the Mayor.¹ Any member of the city council, including the Mayor, may place an item on the agenda as long as they provide the topic and any backup information to the city manager no later than five business days prior to the posting of such agenda.
- 2) **For boards and commission:** The placement of items on an agenda for boards and commissions shall be placed by the city manager. The chair or president of the board or commission shall have the authority to place items on the agenda. Any appointed member of a board or commission may request an item be placed on the agenda by making a written request to the chair and city manager no later than five (5) days in advance of the agenda posting.
- 3) The agenda for regular meetings of the city council will include, at a minimum, the following:
 - a) Determination of quorum and call to order.
 - b) Pledge of allegiance
 - c) Citizen's participation. During which citizens may address the council on any topic of general public interest.
 - d) Each ordinance, resolution, or policy that the Mayor, any single council member, or city staff wishes to have council consider. Each of these agenda items shall be specifically described and there shall be provision for citizens' comments on each item for which a council vote is planned.
 - e) Approval of minutes of previous meeting(s), if available.
 - f) Reports of officers and staff
- 4) Routine matters may be placed on a consent agenda, which will be treated as one agenda item. Before the consent agenda is voted on, any item will be removed at the request of any single member of council and handled as a separate agenda item.
- 5) The agenda for all meetings shall be posted by the city secretary or his/her designee.

¹ Official Comment: The City Charter §3.01 states, in part, that the Mayor shall be responsible for the preparation of the agenda for each city council meeting. However, such does not prevent the responsibility from being delegated but subject to the direction of the Mayor.

- 6) The city secretary will assume responsibility for issuing of newspapers, cable TV stations and the chairman of all communication/public relations committee a copy of the preliminary agenda for all council meetings which posting is required.

Sec. 1.06.003 Presiding officer

- 1) The Mayor (or, in the Mayor's absence, the Mayor Pro Tem) shall preside over all meetings of the city council. In the absence of both the Mayor and Mayor Pro Tem. The senior councilmember, as determined by length of service, shall preside. In the event that two or more council members have the same length of service, the councilmember with the longest city residency shall preside. The chair or president elected or appointed to each board or commission shall be the presiding officer for such board or commission.
- 2) The presiding officer shall preserve order and decorum and is authorized to enforce compliance with the rules contained herein. The presiding officer shall require body members and citizens to limit discussion to the question under consideration and as posted on the agenda.
- 3) The city manager or his/her designee shall be present and on the dais at all posted council meetings, except when excluded by the council for an executive session.
- 4) Any or all of the provisions of this procedure may be suspended temporarily by a majority vote, except such portions that embody provisions of the charter or of state law.

Sec. 1.06.004 Introduction of agenda items; debate and voting

- 1) The presiding officer must introduce every item on the agenda. The presiding officer may change the order of the agenda. The council or board or commission may elect not to take action on any agenda item.
- 2) Any agenda item before the council or board or commission may be decided only by a motion, a second, and a favorable vote by a majority of the members present and voting (unless state law, the charter, or this division requires more than a simple majority).
- 3) Motions should be "positive" rather than "negative."
- 4) For council meetings:
 - a) The Mayor must introduce each agenda item.
 - b) The Mayor, or the city manager, or the sponsoring councilmember, will present a clear statement of the topic to be considered. This is to be followed by a "citizen participation" period.
 - c) After "citizen participation" is closed, the Mayor will invite councilmember and staff comments. Each councilmember shall be recognized to offer his/her comments at least once. The Mayor shall make comments at this time.
 - d) There shall be no limit to the number of times a councilmember may ask for the floor, but a councilmember shall speak only when recognized by the Mayor. Councilmembers'

remarks shall generally be addressed to the Mayor, but councilmembers may ask questions of other councilmembers or of the staff. Councilmembers may respond to remarks or questions but will refrain from exchange or remarks with the public except that a councilmember may ask a citizen a question of a factual or technical nature.

- e) No main motion will be recognized until the Mayor is satisfied that every councilmember has had a reasonable opportunity to present his or her comments on the general topic.
 - f) The Mayor will request a motion and a second. The Mayor will repeat the motion. The Mayor may make a motion.. After a motion has been made and seconded, the Mayor will recognize each councilmember for debate on the motion. The Mayor is not obligated to recognize any councilmember for a second time until every councilmember wishing to speak has been given the opportunity to do so. The Mayor may enter the debate. When the Mayor is satisfied that each councilmember has had a reasonable opportunity to address the motion, the Mayor will call for a vote. Debate will cease and the vote be taken.
- 5) **For Boards and Commission:** boards and commissions may adopt their own rules of procedure for meetings, subject to approval by the city council. If a board or commission has not adopted their own rules and had such rules approved by the city council, boards and commissions must follow the procedures outlined in this section.

Sec. 1.06.005 Parliamentary procedure

- 1) Generally. In regular and special meetings these rules will govern; where the rules are silent, the presiding officer is authorized to determine reasonable rules of procedures; the presiding officer, at his or her discretion, may rely on the most recent edition of Robert's Rules of Order unless they conflict with the city charter or state statutes.
- 2) Main motions. A new main motion may not be brought up for consideration while another main motion is being debated. Each main motion must be disposed of before another is made.
- 3) Secondary motions. During the debate on a main motion, secondary motions may be proposed. The following are the secondary motions, listed in the order of their rank;
 - a) Motion to table the main motion, i.e., lay it aside and go on to the next item on the agenda.
 - b) Motion to request that discussion cease and that the main motion be voted on, i.e., moving to the previous question.
 - c) Motion to limit discussion to a fixed amount of time.
 - d) Motion to postpone action on the proposal until some definite time in the future.
 - e) Motion to refer the proposal to a committee.
 - f) Motion to amend the main motion.
 - g) Motion to postpone action on the proposal to an indefinite future time.
- 4) Privileged motions. Privileged motions may be made at any time. The following are the privileged motions, listed in order of rank.

- a) Motion to set the time and place of the next meeting other than a regular meeting.
- b) Motion to fix the time of adjournment.
- c) Motion to adjourn.
- d) Motion to recess.
- e) Motions on questions of privilege.

Sec. 1.06.006 Citizen Participation

- 1) At every regular council meeting there will be a general "citizen participation" period for comments on any topic of general public interest.
- 2) In addition, at every regular and every special meeting, each agenda item for which a council vote is planned will provide a period for "citizen participation" on that particular subject. Such citizen participation shall be completed before council discussion of the topic starts.
- 3) All citizen participation on a topic on the agenda is limited to three minutes per topic. Time may not be allocated to other speakers. Unless additional time is granted by the presiding officer, the time period is cumulative of the topic at the meeting. A citizen may speak on more than one topic and is provided three minutes for each topic on the agenda and a total of three minutes for all topics which are not on the agenda. Unless invited to speak by the presiding officer, all citizens must sign in prior to the start of a meeting in order to be provided with time to present comments.
- 4) Unless invited by the presiding officer to speak at other times, members of the public are entitled to speak only during a citizen participation portion of a council meeting, and then only when recognized by the presiding officer. Speakers should identify themselves by name and street address. The presiding officer may direct that citizen comments be addressed to the council, board, or commission as a whole and not to individual members nor to other members of the audience or the public at large. Members of each body should refrain from responding to citizen comments during the "citizen participation" period (except in the case of questions for which a straightforward factual answer can be given).
- 5) The presiding officer may limit the number of times that a citizen may speak during a meeting. Should there be a large number of persons with essentially the same message, the Mayor may request that they indicate their view by a show of hands. The presiding officer may limit the total amount of time allocated to citizen comments during a meeting.
- 6) Members of the public attending council meetings shall observe rules of propriety, good conduct, and Meeting Decorum Policy, which is attached as Exhibit "A". The Mayor is authorized to remove from the council meeting room and to bar from attending the remainder of the council meeting any person who does not adhere to the meeting rules and Meeting Decorum Policy. In case the Mayor shall fail to act, any member of the city council may move to require the enforcement of the rules, and the affirmative vote of the majority of the council present and voting shall require the Mayor to act.

Sec. 1.06.007– Debate and Order

- (a) **Presiding Officer.** The presiding officer at a meeting shall control the flow and order of the meeting. If an agenda item was requested by city staff, the city manager may summarize the item for the council or may refer to the staff member who requested the item to brief the council, board or commission. If the item was requested by one or more members of the council, board, or commission, the presiding officer must allow the requesting members to summarize the item. Once the purpose for the item has been briefed to the council, board or commission, the presiding officer may encourage either further discussion or call for a motion.
- (b) **Discussion of the Item Without Interruption.** Each council, board, and commission member must be given an opportunity to speak on the item without interruption. The presiding officer is also to be given an opportunity to speak on the item without interruption. The presiding officer must maintain order and not allow interruption of a member who has the floor. The presiding officer must also be allowed to speak without interruption on the item. The presiding officer must allow each member the opportunity to speak at least once before allowing any member to speak on the item a second time. Citizens providing comments and members of the audience may not speak out, interrupt, disrupt, or disturb the debate while members of the council, board or commission are discussing and item or when a presenter is providing information to the council, board or commission.
- (c) **Ruling a Member or Public Out of Order.** When a member of the public, a council, board, or commission member, or anyone else present during the meeting disrupts the meeting, interrupts the person who has the floor, or fails to follow the direction of the presiding officer in the course of maintaining the orderly progression of the meeting, the presiding officer or a member of the city council, board or commission may call that person out of order. Being called out of order applies only to actions taken in a specific meeting and such determinations may not be combined to future meetings.
1. **Presiding Officer.** The presiding officer shall warn a disruptive person, person interrupting the individual who has the floor, or person failing to follow the instructions of the presiding officer they are acting out of order. If the person continues to disrupt, interrupt, or fail to comply with instruction the presiding officer shall instruct the person they are determined to be out of order and to cease such actions or else they will be removed from the meeting. The presiding officer may instruct the person on a proper method to handle an item without disruption. The presiding officer must ensure opinions are expressed, but without disruption to the debate and action process. The presiding officer shall determine if a person is out of order.
 2. **Body members.** If the presiding officer fails to call a person out of order, or is the one interrupting or causing disruption, any member of the city council, board or commission may call the disrupting or interrupting person out of order. The member may raise a point of order and note either the presiding officer is out of order or that the person interrupting is out of order.

- a. The presiding officer may acknowledge and concede the point or may dispute the point.
- b. If the presiding officer concedes the point, the presiding officer shall instruct the person interrupting or disrupting the meeting to cease such actions, else they may be removed from the meeting.
- c. If the presiding officer disputes the point and the person disrupting or interrupting is not the presiding officer, the presiding officer must explain why the point is disputed. After explanation, the city council, board or commission must vote on whether the person called was out of order or not.
- d. If the presiding officer is the person called out of order and the presiding officer concedes the point, the presiding officer shall cease such disruptive or interrupting actions.
- e. If the presiding officer is the person called out of order and the presiding officer disputes the point, the presiding officer must explain why the point is disputed. After the explanation, any other member of the city council, board or commission may second the point that the presiding officer is out of order. The council, board or commission must vote on whether the presiding office was out of order or not.

(d) Ejecting a Body Member or Public from Meeting.²

- 1. If a member of the public is warned, then determined to be out of order by the presiding officer, the presiding officer may have the person removed from the meeting for any subsequent disruptions, interruptions, or failures to follow the presiding officer's instructions which occur at the same meeting. The presiding officer may instruct any law enforcement official to remove the person from the meeting and such law enforcement official must comply with the instruction.
- 2. If a member of the city council, board or commission is determined to be out of order more than two times during a single meeting, the presiding officer may have the member removed from the meeting. The presiding officer may instruct any law enforcement official to remove the person from the meeting and such law enforcement official must comply with the instruction.
- 3. If the presiding officer is determined to be out of order by vote of the city council, board or commission more than two times during a single meeting, the presiding officer may be removed from the meeting. If the Mayor is removed under this subsection, the Mayor Pro Tem shall assume control of the meeting. If the Mayor

² Official Comment: Removal from a public meeting is a significant remedy. As a result, the purpose of this subsection is to give both the public and members of the council, board, and commission three changes before they are removed. For members of the public, they should receive a warning, then a determination they are out of order, and upon a third violation, they may be removed from the meeting. For members of the council, board or commission, they are not provided a warning, but must be found out of order two times during the same meeting. Upon a finding the third time that a member of the city council, board or commission is out of order, the member may be removed.

and Mayor Pro Tem are not available to control the meeting, the remaining council person with the most senior tenure on the council shall assume control of the remainder of the meeting.³

4. Nothing in this section prevents a presiding officer or a member of law enforcement from forcibly removing an individual without warning due to an immediate threat of physical violence or harm.

II. CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Bee Cave, except where the provisions of this Ordinance are in direct conflict with the provisions of such other ordinance, in which event the conflicting provisions of such other ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

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IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government

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DULY PASSED ON FIRST READING, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Bee Cave, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

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CITY OF BEE CAVE, TEXAS

Kara King, *Mayor*

ATTEST:

Thomas Hatfield, *Interim City Secretary*

APPROVED:

Ryan Henry, *City Attorney*



Members of the public are invited and encouraged to attend any sessions of the City Council that are not closed to the public in accordance with the Texas Opening Meetings Act. Meeting Rules and Procedures along with the Meeting Decorum Policy are established by ordinance and apply to all open meetings of the City Council. City Boards, commissions, and committees. The presiding officer of the meeting will ensure that the decorum of the meeting is maintained and is appropriate.

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I. Application

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- During the conduct of official business, members of the new media shall refrain from conducting interviews with other persons in the meeting room.
- Any person using a recording device or camera may be directed by city staff to a designated area in the meeting room.



***City Council Meeting
4/23/2024
Agenda Item Transmittal***

Agenda Item: 11.

Agenda Title: Discuss and consider action on Resolution No. 2024-10 creating the City of Bee Cave Development Review Advisory Committee.

Council Action: Discuss and Consider Action

Department: City Secretary

Staff Contact: Julie Oakley, City Manager

1. INTRODUCTION/PURPOSE

The Development Review Advisory Committee is created for the purpose of reviewing and discussing inquiries regarding development contracts and Planned Development Districts (PDDs), and to perform preliminary reviews associated with new and existing developments.

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

The committee will serve on an ad hoc basis and may be dissolved by action of the City Council at any time. The committee is proposed to consist of the Mayor, Mayor Pro Tem, one (1) Councilmember, and the Planning and Zoning Commission Chair.

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
📎 Resolution No. 2024-10	Resolution Letter

RESOLUTION NO. 2024-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BEE CAVE, TEXAS CREATING THE CITY OF BEE CAVE
DEVELOPMENT REVIEW ADVISORY COMMITTEE**

WHEREAS, the City Council is authorized to establish, by ordinance or resolution, such committees as it may deem necessary for the conduct of City business and management of municipal affairs; and

WHEREAS, the City's Uniform Development Code outlines the process and procedures required for development within the City; and

WHEREAS, some developments provide for uses which may allow a flexible response to the market, encourage innovative subdivision, adaptive reuse, or site plan design, and promote superior development which is compatible with adjacent land uses; and

WHEREAS, the City Council recognizes the purpose of Planned Development Districts (PDDs), development contracts, as well as other alternative development processes; and

WHEREAS, the City Council wishes to create the Development Review Advisory Committee ("Committee") to serve in an advisory capacity, on an assigned basis, to the City Council to perform such tasks as reviewing or discussing inquiries from existing PDDs or amendments to PDDs, reviewing and discussing inquiries for development contracts, and to perform such development related tasks as assigned by the City Council or City Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS that:

1. The foregoing recitals are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.
2. The City Council hereby approves this Resolution and creates the City of Bee Cave Development Review Advisory Committee.
3. The Development Review Advisory Committee is established to serve, as needed, in an advisory capacity to the City Council for the purpose of reviewing and discussing inquiries from existing PDDs or amendments to PDDs, reviewing and discussing inquiries for development contracts or amendments to such contracts, and to perform such development related tasks as assigned by the City Council or City Manager, which are not inconstant with the City codes. The Committee shall also provide advice and recommendations to the Council and City Manager based on its review or other assigned tasks.
4. The Committee shall serve on an ad hoc basis. The Committee may be dissolved by action of the City Council at any time.
5. The City Council has determined that the Committee shall consist of the Mayor, Mayor Pro Tem, one (1) Councilmember, and the Planning and Zoning Commission Chair appointed by the

City Council. Upon taking office as Mayor, Mayor Pro Tem, or the Planning and Zoning Commission Chair, such an official automatically serves on this Committee. The remaining committee position filled by a single council member shall be appointed by a majority vote of the City Council and such appointed members shall serve until they no longer hold office on the City Council, resign from the Committee, or are removed by a majority vote of the City Council.

7. The meeting at which this Resolution was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Bee Cave, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF BEE CAVE, TEXAS

Kara King, *Mayor*

ATTEST:

Thomas Hartfield, *Interim City Secretary*

APPROVED:

Ryan S. Henry, *City Attorney*



*City Council Meeting
4/23/2024
Agenda Item Transmittal*

Agenda Item: 12.

Agenda Title: Discuss and take action on Resolution No. 2024-11 to create and appoint a Charter Review Committee to assist the City Council in adopting propositions for charter amendments.

Council Action:

Department: City Secretary

Staff Contact: Ryan Henry, City Attorney

1. INTRODUCTION/PURPOSE

The committee is being formed for the purpose of making recommendations to the City Council for appropriate amendments to be approved by the voters at an election called for such purpose.

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

ATTACHMENTS:

Description

Type

☐ Resolution No. 2024-11

Resolution Letter

RESOLUTION NO. 2024-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS, IN DESIGNATING A CHARTER REVIEW COMMITTEE TO ASSIST THE CITY COUNCIL IN ADOPTING PROPOSITIONS FOR CHARTER AMENDMENTS

WHEREAS, the City has not reviewed and changed the City Charter since May 1, 2021; and

WHEREAS, the City Council believes it is in the best interest of the City to create a Charter Review Committee to review the City’s Charter regarding possible revisions to said Charter, determine which articles and sections of the Charter need amendment, deletion, or addition, develop a list of possible amendments to the Charter for review by the City Council and present those recommendations to the City Council to add those propositions to the ballot; and

WHEREAS, the City Council shall select individuals to serve on the Charter Review Committee that will be selected by a majority vote of the City Council; and

WHEREAS, the election for May 2024 was canceled due to candidates running unopposed. As a result, a new council members will be on council in May of 2024, but the current council seat still needs to appoint a position to the Committee;

WHEREAS, the Committee will be made up of council appointees and have seven members, with the council member elect who takes office in May of 2024 having the ability to appoint one of the seven Committee members;

WHEREAS, each Committee member shall serve until recommendations have been presented to the City Council for review and approval.

WHEREAS, each member of the Committee shall serve without compensation.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS THAT:

Section 1. The following individuals are appointed to serve terms on the Charter Review Committee:

No	Name	Appointed By
1	Darrell Davis	Kara King (Mayor)
2	Steve Braasch	Andrew Clark (Mayor Pro Tem)
3	Kit Crumbley	Kevin Hight
4	Paula Boyd	Andrea Willott

5	David DeStefano	Andy Rebber
6	Blake Sbrocco	Courtney Hohl
7	Quinn Gormley	Jon Cobb

Section 2. The Charter Review Committee is charged with considering and making recommendations to the City Council, including but not limited to technical and other updated amendments that may be suggested. Such Committee is advisory only.

Section 3. The Charter Review Committee shall always be subject to the Texas Open Meetings Act.

Section 4. The Charter Review Committee shall meet at a time designated by the City Council or City Manager, or until the Committee has presented its recommendations to the City Council, who shall then discuss any proposed Charter changes and still finalize amendments before the election is called.

Section 5. The City Council may accept, reject, or amend the proposals of the Charter Review Committee at any time.

Section 6. The Charter Review Committee will cease to exist upon the accomplishment of the purpose for which it was created unless earlier abolished by a vote of the City Council.

Section 7. The recitals set forth are hereby incorporated as findings of fact made part of this resolution for all purposes.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2024.

CITY OF BEE CAVE, TEXAS

KARA KING, Mayor

ATTEST:

Thomas Hatfield, Interim City Secretary

APPROVED:

Ryan S. Henry, City Attorney



*City Council Meeting
4/23/2024
Agenda Item Transmittal*

Agenda Item: 13.

Agenda Title: Discuss potential alternate members to the Bee Cave Zoning Board of Adjustment.

Council Action:

Department: City Secretary

Staff Contact: Lindsey Oskoui, Assistant City Manager

1. INTRODUCTION/PURPOSE

2. DESCRIPTION/JUSTIFICATION

a) Background

b) Issues and Analysis

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION



***City Council Meeting
4/23/2024
Agenda Item Transmittal***

Agenda Item: 14.

Agenda Title: Consider approval of the Interlocal Police Mutual Aid Agreement between the City of Lakeway and the City of Bee Cave.

Council Action:

Department: City Secretary

Staff Contact: Chief Jones

1. INTRODUCTION/PURPOSE

2. DESCRIPTION/JUSTIFICATION

a) Background

In 2018, the cities of Bee Cave and Lakeway entered into a mutual aid agreement to codify each city's desire for a cooperative approach to the delivery of professional police services, in particular the response by patrol officers to calls for service in each other's jurisdictions. Since that time, the Bee Cave Police Department and Lakeway Police Department have successfully supported each other on numerous occasions.

b) Issues and Analysis

The two police departments wish to continue the professional and cooperative approach to ensuring public safety.

3. FINANCIAL/BUDGET

Amount Requested	Fund/Account No.
Cert. Obligation	GO Funds
Other source	Grant title
Addtl tracking info	

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Request City Council approve the mutual aid agreement.

ATTACHMENTS:

Description	Type
☐ Interlocal Police Mutual Aid Agreement	Backup Material

**INTERLOCAL POLICE MUTUAL AID AGREEMENT
BETWEEN
CITY OF LAKEWAY
AND
CITY OF BEE CAVE**

THIS AGREEMENT ("**Agreement**"), made and entered into by and between the City of Bee Cave ("**BEE CAVE**") and the City of Lakeway ("**LAKEWAY**"). BEE CAVE and LAKEWAY are hereinafter sometimes referred to as the "cities."

WITNESSTH:

WHEREAS, the Bee Cave Police Department ("**BEE CAVE PD**") and the Lakeway Police Department ("**LAKEWAY PD**") are responsible for providing for law enforcement and related public services in their respective cities, which can be delivered more efficiently and effectively through cooperative efforts to the benefit of public health, safety, and welfare in both of the cities; and

WHEREAS, the BEE CAVE PD and the LAKEWAY PD agree that it is in the best interest of each city to have available to both agencies, additional resources to assist each city respectively, as needed and requested by the host department responsible for public safety including police services as mutually agreed upon by both parties; and

WHEREAS, Chapter 791 of the Texas Government Code authorizes the cities to contract, to the greatest possible extent, with one another to increase the efficiency and effectiveness of local government.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, BEE CAVE and LAKEWAY hereby agree as follows:

**ARTICLE I.
PURPOSE**

The purpose of this agreement is to develop a procedure that focuses on providing a safe and healthy environment for citizens of both BEE CAVE and LAKEWAY; to foster better relations between citizens and law enforcement personnel in both cities; to deter crime or respond to emergencies through the use of an available law enforcement officer; to enforce local, state, and federal laws when the primary agency serving the affected city is unavailable.

**ARTICLE II.
BEE CAVE POLICE DEPARTMENT'S RESPONSIBILITIES**

- A. BEE CAVE PD shall, when doing so would not leave BEE CAVE inadequately provided with police protection as determined by the Chief of the BEE CAVE PD or his/her designee:

1. Respond to emergency situations or incidents when requested by LAKEWAY PD officials;
 2. Respond to law enforcement related situations or incidents where LAKEWAY PD officials request additional personnel or law enforcement resources that they do not have, or have exhausted;
 3. Assist in mutual aid incidents including those that require officers with advanced training, to assist in crisis management, criminal investigative scenes, or traffic related incidents, when requested by LAKEWAY PD officials; and
 4. Provide staffing and resources to LAKEWAY PD when requested and when doing so will not impair BEE CAVE PD from fulfilling its public service mission.
- B. The BEE CAVE PD shall also:
1. Work with LAKEWAY PD staff on mutual aid initiatives, planning and operations, to include but not limited to training and educational experiences;
 2. Defer all media requests regarding an incident occurring in LAKEWAY to the LAKEWAY PD;
 3. Pay any expenses incurred by the BEE CAVE PD when responding to a LAKEWAY PD request detailed in this agreement, including regular compensation, overtime compensation, and all the costs of all benefits regularly provided by BEE CAVE to the responding employee; and
 4. Provide with respect to each of its responding employees workers' compensation coverage and liability insurance coverage.
- C. BEE CAVE PD shall ensure that its responding officers:
1. Provide a professional response and interaction with the general public in LAKEWAY when assisting LAKEWAY PD;
 2. Operate under BEE CAVE PD policy and procedures, as well as this Agreement;
 3. Will be identifiable as BEE CAVE PD officers;
 4. Will advise Lakeway Police Dispatch of their response to the LAKEWAY PD request for assistance, and
 5. Monitor the primary dispatch channel for calls holding or in progress in LAKEWAY.

ARTICLE III.

LAKEWAY POLICE DEPARTMENT'S RESPONSIBILITIES

- A. LAKEWAY PD shall, when doing so would not leave LAKEWAY inadequately provided with police protection as determined by the Chief of the LAKEWAY PD or his/her designee:
1. Respond to emergency situations or incidents when requested by BEE CAVE PD officials;
 2. Respond to law enforcement related situations or incidents where BEE CAVE PD

- officials request additional personnel or law enforcement resources that they do not have, or have exhausted;
3. Assist in mutual aid incidents including those that require officers with advanced training, to assist in crisis management, criminal investigative scenes, or traffic related incidents, when requested by BEE CAVE PD officials; and
 4. Provide staffing and resources to BEE CAVE PD when requested and when doing so will not impair LAKEWAY PD from fulfilling its public service mission.

B. The LAKEWAY PD shall also:

1. Work with BEE CAVE PD staff on mutual aid initiatives, planning and operations, to include but not limited to training and educational experiences;
2. Defer all media requests regarding an incident occurring in BEE CAVE to the BEE CAVE PD;
3. Pay any expenses incurred by the LAKEWAY PD when responding to a BEE CAVE PD request detailed in this agreement, including regular compensation, overtime compensation, and all the costs of all benefits regularly provided by LAKEWAY to the responding employee; and
4. Provide with respect to each of its responding employees workers' compensation coverage and liability insurance coverage.

C. LAKEWAY PD shall ensure that its responding officers:

1. Provide a professional response and interaction with the general public in BEE CAVE when assisting BEE CAVE PD;
2. Operate under LAKEWAY PD policy and procedures, as well as this Agreement;
3. Will be identifiable as LAKEWAY PD officers;
4. Will advise Lakeway Police Dispatch of their response to any BEE CAVE PD request for assistance; and
5. Monitor the primary channel for calls holding or in progress in BEE CAVE.

**ARTICLE IV.
MISCELLANEOUS**

A. The Chiefs of the BEE CAVE PD and the LAKEWAY PD shall each:

1. Communicate efficiently and regularly regarding issues arising pursuant to this agreement;
2. Keep his/her respective city's administration and leadership updated on changes or issues concerning the procedures for implementing this Agreement;
3. Routinely communicate and review the agreement, and advise the other when newly adopted policies, procedures or legal restrictions may create a conflict with this Agreement;
4. Arrange meetings at least one time a calendar year to review this Agreement and discuss the success and failures, if any, of this Agreement.

- B. This Agreement does not create an employer-employee relationship between the BEE CAVE PD and officers responding from the LAKEWAY PD, or between the LKAEWAY PD, and the officers responding from BEE CAVE PD. Each responding officer shall at all times be an employee of the city with which (s)he is regularly employed, regardless whether (s)he is responding to a call for service in the other city.
- C. For purposes of determining civil liabilities for third-party claims due to injuries or damages, pursuant to Gov't Code Section 791.006(b) the city that requests and obtains the services is responsible for any civil liability that arises from the furnishing of those services. Each of the cities shall at all times during the term of this Agreement as extended from time to time maintain general liability insurance, including coverage for operation of vehicles to be used in the performance of this Agreement, in the minimum amount of \$1,000,000 for single occurrence for bodily injury or death and \$500,000 for each single occurrence for injury to or destruction of property.
- D. This Agreement will be binding upon and inure to the benefit of the Parties and their respective heirs, successors, and assigns; however, neither Party may assign this Agreement or subcontract the performance of Services, in whole or in part, without the prior written consent of the other Party.
- E. The Parties agree and intend that all disputes which may arise from, out of, under or respecting the terms and conditions of this Agreement, or concerning the rights or obligations of the Parties, or respecting any performance or failure of performance by either Party, will be governed by the laws of the State of Texas, without giving effect to its conflict of laws provisions. The parties further agree and intend that the venue will be proper and will lie exclusively in a court of competent jurisdiction in Travis County, Texas.
- F. When mediation is acceptable to both Parties in resolving a dispute arising under this Agreement, the Parties agree to use a mutually agreed upon mediator or someone appointed by a court of competent jurisdiction for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both Parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation will remain confidential as described in §154.073 of the Texas Civil Practice and Remedies Code, unless both Parties agree, in writing, to waive the confidentiality.
- G. This Agreement is not intended to and must not be construed to create any rights or remedies in any person or legal entity that is not a party to it and the Parties are not waiving any defense or immunity to which they are entitled against any person or legal entity that is not a party to this Agreement.
- H. If any section or part of this Agreement is declared invalid by any Court of competent jurisdiction, such decree will not affect the remainder of this Agreement, and such will remain in full force and effect with the deletion of the part declared invalid.

- I. It is expressly understood and agreed that this Agreement does not waive any immunity or defense that would otherwise be available to a city against third-party claims arising from activities performed under this Agreement.
- J. As required by Chapter 791, Texas Government Code, the Parties herein warrant and represent to the other that its governing body has authorized this agreement.

**ARTICLE V.
TERM AND TERMINATION**

This Agreement shall become effective upon execution by the last-signing party representative below and shall be in effect for one calendar year from that date. This Agreement will automatically renew each year, unless terminated sooner by either or both parties as provided for herein.

This Agreement may be terminated by mutual agreement of both cities, or by either city upon 60 days written notice to the other for cause, for fiscal reasons, or for any reason determined in the sole discretion of the governing body of the city terminating the Agreement.

**ARTICLE VI.
NOTICES**

Whenever any city desires or is required by law to give notice unto the other city, notice shall be sent by certified mail or hand delivered to:

Chief of Police
City of Bee Cave Police Department
13333-A Hwy 71 West
Bee Cave, TX 78738

Chief of Police
City of Lakeway Police Department
1941 Lohman's Crossing
Lakeway, TX 78734

**ARTICLE VII
GOOD FAITH**

The cities agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation between the two Chiefs of Police or their designees prior to referring issues to the elected officials of each city.

**ARTICLE VIII.
MODIFICATION**

This Agreement constitutes the full understanding of the cities and no terms, conditions, understandings, or agreements purporting to modify or vary the terms of this Agreement shall be binding unless hereafter made in writing, authorized by each city council, and signed by authorized representatives of each of the cities.

**ARTICLE IX.
NON-ASSIGNMENT**

This Agreement, and each and every covenant herein, shall not be capable of assignment, unless the express written consent of both of the Chiefs of Police, or their respective designees is obtained.

**ARTICLE X.
MERGER**

This Agreement constitutes a final written expression of the parties' agreement on the subject matter hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the later date set forth below.

CITY OF LAKEWAY

By: _____

Name: Thomas Kilgore

Title: Mayor

Date: 3/19/2024



CITY OF BEE CAVE

By: _____

Name: Kara King

Title: Mayor

Date: _____



City Council Meeting
4/23/2024
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City Council Meeting
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