



BEE CAVE

T E X A S

AGENDA

Regular Meeting

City Council Bee Cave City Hall, 4000 Galleria Pkwy, Bee Cave, TX, 78738

Tuesday, October 22, 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 THE CITY SECRETARY OFFICE 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, Event Update and Moment of Silence
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. 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 the minutes of the Regular Session conducted on October 8, 2024.
 - B. Consider approval of the Quarterly Investment Report for period ending September 30, 2024.
7. Discuss and consider action on a Hotel Occupancy Tax Fund application from Lake Travis Youth Association for the Austin Lacrosse Fall Invitational
8. Discuss and consider action on Hotel Occupancy Tax Fund application from Special Olympics Texas.
9. Public hearing, discussion, and possible action on Ordinance No. 552 amending zoning for property addressed as 14310 W. State Hwy. 71 and 15201 Falcon Head Blvd., Bee Cave, Texas 78738, known locally as the Falconhead Golf Course, from Neighborhood Mixed-Use District (MU-N) to Golf and Amenity District (GA).
10. Public hearing, discussion, and possible action on a request for a Specific Use Permit (SUP) to allow a private club – specifically, a retail cigar lounge – within the Town Center Mixed-Use zoning district.
11. Discuss and consider action on Resolution No. 2024-27 approving the interlocal cooperation agreement for the construction phase of a joint facilities project by and between the City of Bee Cave and Travis County Emergency Services District No. 6.
12. Discuss and consider action on Resolution No. 2024-28 adopting a prohibited technologies security policy.
13. Discuss and consider action regarding polling council for meeting attendance.
14. Close Regular Meeting
15. Open Executive Session
 - A. Pursuant to Texas Government Code Sec. § 551.071, the City will meet in closed session to consult with the City's attorney regarding pending litigation styled City of Bee Cave, Texas vs. WS-COS Development, LLC et. Al., Cause No. D-1-GN-24-005113.
 - B. Pursuant to Texas Government Code § 551.071, the City will meet in closed session to consult with the City's attorney regarding Consent Agreement with Summit Austin 56, Ltd. pertaining to property located at 15506 W. SH 71, Bee Cave, Texas 78738.
 - C. Pursuant to Texas Government Code Section § 551.074 for deliberation regarding Personnel Matters related to the annual evaluation of the City Attorney.

16. Close Executive Session
17. Open Regular Meeting
18. Consider action, if any, on Executive Session
19. 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
10/22/2024
Agenda Item Transmittal*

Agenda Item: 6.A.

Agenda Title: Consider approval of the minutes of the Regular Session conducted on October 8, 2024.

Council Action: Consider approval

Department: City Secretary

Staff Contact: Jo Ann Touchstone, 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



October 8, 2024 Draft Minutes

Type

Backup Material



MINUTES
Regular Meeting
City Council
Tuesday, October 8, 2024
6:00 P.M. City Hall
4000 Galleria Parkway
Bee Cave, Texas 78738-3104

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A quorum of the Planning and Zoning Commission and/or Development Board may be in attendance at the meeting. No action will be taken by the Commission or Board.

1. Call meeting to order – Mayor King established a quorum and called the meeting to order at 6:00 p.m.
2. Roll Call -

Present:

Kara King, Mayor
Andrew Clark, Mayor Pro Tem
Jon Cobb, Councilmember
Kevin Hight, Councilmember
Courtney Hohl, Councilmember
Andrea Willott, Councilmember

City Staff:

Julie Oakley, City Manager
Ryan Henry, City Attorney
Jo Ann Touchstone, City Secretary
Rebecca Regueira, Deputy City Secretary
Lanie Marcotte, Parks and Facilities Director
Eric Bowers, Community Events Coordinator
Brian Jones, Police Chief
Crystal Cotti, Director of Communications
Roger Velasquez, Multimedia Specialist
Barbara Hathaway, Library Director
Gretchen Hardin, Assistant Library Director

3. Pledge of Allegiance.
4. Recognition, Event Update and Moment of Silence – Eric Bowers gave event update. City Manager Oakley welcomed Administrative Assistant Hilary Pricher and thanked Business Development and Relations Manager Dori Kelley for her service.
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 – The following persons spoke: Carol Killebrew, John Colman and Blake Sbrocco.
6. 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 the item on the agenda. Information concerning consent agenda items is available for public view.

A. Consider approval of the minutes of the Regular Session conducted September 24, 2024.

Councilmember Hight moved to approve the consent agenda. Councilmember Cobb seconded and the motion passed unanimously.
7. Receive presentation/update from Texas Department of Transportation (TxDOT) regarding medians on State Highway 71 – William Samora, South Travis County TXDOT Engineer presented and was available for questions. Citizen participation: The following persons spoke: Carol Killebrew, Liesel Krach, Terri Mitchell, John Colman, and Gabe Nieto.
8. Discuss and consider action on a Hotel Occupancy Tax Fund application by Janta Connection LLC for the Diwali Festival – Applicant Shereen Chand presented request. Citizen participation: No one spoke. No action was taken. (funding request was not granted)
9. Discuss and receive an update from the Capital Improvements Plan (CIP) Subcommittee -
 - a. Chelsea Maldonado, Turner & Townsend-Heery, Mayor King, and Councilmember Willott presented the item.
10. Discuss and consider on action on a recommendation from CIP Subcommittee for Bee Cave Public Safety Building (BCPS) budget – Councilmember Cobb moved to approve the budget for the Bee Cave Public Safety Building not to exceed 18 million. Mayor Pro Tem Clark seconded and the motion passed unanimously.
11. Close Regular Meeting.

12. Open Executive Session - Mayor King called for executive session under section 551.071 and 551.074. Convened to executive session at 7:38 p.m.
 - A. Pursuant to Texas Government Code Section 551.074 for deliberation regarding Personnel Matters related to the six month evaluation of the City Manager.
 - B. Pursuant to Texas Government Code Sec. §551.074, the City Council will meet in closed session to discuss the Annual Appointments to Bee Cave Development Corporation – Councilmember Hight moved to appoint Jonathan Libby to Bee Cave Development Corporation. Mayor Pro Tem Clark seconded and the motion passed unanimously.
 - C. Pursuant to Texas Government Code Sec. § 551.071, the City will meet in closed session to consult with the City’s attorney regarding pending litigation styled *City of Bee Cave, Texas vs. WS-COS Development, LLC et. Al.*, Cause No. D-1-GN-24-005113.
13. Close Executive Session.
14. Open Regular Meeting - Mayor King opened the meeting at 9:17 p.m. No action was taken in executive session.
15. Consider action, if any, on Executive Session.- Action in open session for item 12 b – see above.
16. Adjournment – Councilmember Hight moved to adjourn. Councilmember Cobb seconded and the motion passed unanimously. Meeting adjourned at 9:17 p.m.

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.

Approved this ____ day of _____, 2024

Kara King, Mayor

Jo Ann Touchstone, City Secretary



*City Council Meeting
10/22/2024
Agenda Item Transmittal*

Agenda Item: 6.B.
Agenda Title: Consider approval of the Quarterly Investment Report for period ending September 30, 2024.
Council Action: Approve as Submitted
Department: Finance
Staff Contact: Travis Askey, Finance Director

1. INTRODUCTION/PURPOSE

The purpose of this consent agenda item is for the Council to consider approval of the Quarterly Investment Report for period ending September 30, 2024.

2. DESCRIPTION/JUSTIFICATION

a) Background

A quarterly Finance and Investment report is required to be provided to the City Council.

b) Issues and Analysis

The report attached includes fiscal year to date information through September 30th, 2024.

3. FINANCIAL/BUDGET

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

4. TIMELINE CONSIDERATIONS

The report attached includes fiscal year to date information through September 30th, 2024.

5. RECOMMENDATION

Approve as submitted.

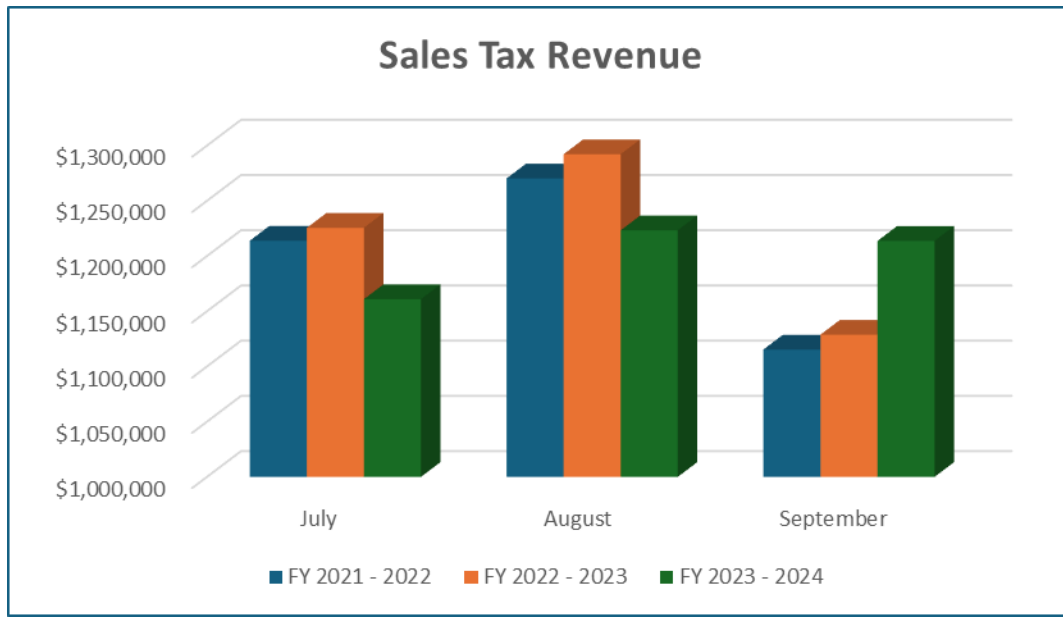
ATTACHMENTS:

Description	Type
☐ Quarterly Finance & Investment Report	Cover Memo



To: City Manager, Mayor & Council
 From: Administration
 Date: 10/22/2024
 Re: Quarterly Finance & Investments Report

Please note this report includes information thru September 30th, 2024 and the end of fiscal year 2023-2024. Some of this information is repetitive as it was discussed in detail during the FY-end budget amendment and in conjunction with FY 2024-2025 budget forecasts.



Q4 of the fiscal year didn't start out well with the July sales tax allocation as the chart depicts. Fortunately, we saw some improvement in August and September's allocation increased 7.5% over 2023. Our total sales tax for FY 2023-2024 ended at over \$13.96M but was just shy of our \$14M target.

Other General Fund Revenue:

Revenue Description	Original Budget	Amended Budget	FYTD	Perform%
MIXED BEVERAGE TAX	\$165,000	\$172,072	\$169,171	98.31%
FRANCHISE FEES	\$564,000	\$672,763	\$473,752	70.42%
BUILDING FEES	\$376,000	\$683,025	\$702,150	102.80%
MUNICIPAL COURT	\$274,500	\$517,320	\$525,580	101.60%

Building and Development Revenue and Municipal Court revenue outperformed our original budget forecast.



FYTD General Fund Expense by Department:

Department	Original Budget	Amended Budget	FYTD	Percent
5010 - ADMINISTRATION	\$1,109,234	\$1,368,980	\$1,381,501	100.9%
5020 - CITY COUNCIL	\$54,600	\$38,403	\$38,731	100.9%
5030 - LEGAL	\$350,000	\$650,000	\$557,143	85.7%
5040 - COMMUNICATIONS	\$166,534	\$229,664	\$224,484	97.7%
5120 - NON DEPARTMENTAL	\$268,600	\$228,325	\$228,381	100.0%
5140 - INFORMATION TECHNOLOGY	\$431,000	\$416,180	\$392,838	94.4%
5200 - LIBRARY	\$1,150,372	\$1,122,986	\$1,114,074	99.2%
5350 - PARKS	\$525,862	\$393,948	\$388,207	98.5%
5650 - FACILITIES	\$359,278	\$383,527	\$379,530	99.0%
5500 - MUNICIPAL COURT	\$394,002	\$408,617	\$409,892	100.3%
5520 - POLICE	\$3,217,994	\$3,810,673	\$3,684,309	96.7%
5620 - PLANNING & DEVELOPMENT	\$1,125,289	\$990,991	\$982,592	99.2%
Totals	\$9,152,765	\$10,042,294	\$9,781,682	97.4%

While we are still reconciling 13th period expenditures for FY 2023-2024, FYTD expenses by department total ~\$9.8M or just over 97% overall of the 2023-24 final budget amendment.

Banking:

	Beginning Balance	Contributions	Withdrawals	Interest Earned	Avg Rate	Ending Balance
Bank Account (Wells Fargo- Pooled Cash)	\$748,337.37	\$6,817,368.01	(\$7,346,306.02)	\$1,429.22	1.0467%	\$219,399.36
Bank Account (Wells Fargo - Govt MM)	\$26,882.42	\$625,000.00	(\$500,000.00)	\$2,154.56	5.1800%	\$154,036.98
Totals	\$775,219.79	\$7,442,368.01	(\$7,846,306.02)	\$3,583.78	3.1133%	\$ 373,436.34

Withdrawals from Pooled Cash in the final quarter of the fiscal year include debt service payments.

Investment Performance:

Account	Beginning Balance	Contributions	Withdrawals	Interest Earned	Avg Rate	Ending Balance
Govt Pool (Texas Class)	\$24,289,334.26	\$1,000,000.00	(\$500,000.00)	\$333,686.41	5.3903%	\$25,123,020.67
Govt Pool (Logic)	\$12,956,386.64	\$250,000.00	(\$1,250,000.00)	\$169,720.27	5.3382%	\$12,126,106.91
Govt Pool (TexStar)	\$7,358.14	\$0.00	\$0.00	\$97.64	5.2465%	\$7,455.78
Govt Pool (TexPool)	\$5,559.28	\$0.00	\$0.00	\$74.01	5.2593%	\$5,633.29
Totals	\$37,258,638.32	\$1,250,000.00	(\$1,750,000.00)	\$503,578.33	5.3086%	\$ 37,262,216.65

Withdrawals from our Pooled Investment accounts support debt service payments. Investment rate of return overall finished the quarter in excess of 5%; however, current economic conditions provide strong indications that this rate of performance will likely not last through the end of the calendar year unfortunately.

Please let us know if you have any questions regarding the information contained in this update.



City Council Meeting
10/22/2024
Agenda Item Transmittal

Agenda Item: 7.

Agenda Title: **Discuss and consider action on a Hotel Occupancy Tax Fund application from Lake Travis Youth Association for the Austin Lacrosse Fall Invitational**

Council Action: **Discuss and Consider Action**

Department: **Administration**

Staff Contact: **Rebecca Regueira, Assistant to the City Manager**

1. INTRODUCTION/PURPOSE

The purpose of this agenda item is to discuss and consider action on an application requesting Hotel Occupancy Tax Funds from the Lake Travis Youth Association (LYYA).

2. DESCRIPTION/JUSTIFICATION

a) Background

LYYA is hosting another Austin Lacrosse Invitational Tournament, November 15 - 17, 2024. LTYA previously came before Council on May 14, 2024 for the June Lacrosse Invitational Tournament and received \$17,000 in Hotel Occupancy Tax funds.

b) Issues and Analysis

LYYA's application is attached; their Executive Director Mr. Scott Cronk will attend the Council meeting present their request and to answer questions. This application's total amount requested is \$20,000.

3. FINANCIAL/BUDGET

Amount Requested	\$20,000	Fund/Account No.	Hotel Occupancy Tax Fund 04
Cert. Obligation		GO Funds	
Other source		Grant title	
Addtl tracking info			

4. TIMELINE CONSIDERATIONS

The event is scheduled for November 15 - 17, 2024.

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
☐ LTYA HOT Fund Application - Fall Lacrosse Invitational	Backup Material
☐ LTYA Marketing Costs	Backup Material
☐ LTYA Post Event Report	Backup Material
☐ LTYA June 2024 Expenses	Backup Material



Guidelines and Procedures

The City of Bee Cave accepts applications from organizations wishing to receive financial support through the Local Hotel Occupancy Tax (HOT) revenue collected.

- 1) The City Council serves as the Hotel Occupancy Tax (HOT) Committee and convenes on an as-need basis but no less than quarterly intervals. The HOT Committee will typically convene prior to regular City Council meetings which are generally scheduled on the 2nd and 4th Tuesdays of each month.
- 2) To be considered for funding, applicants must complete an application including all required attachments. Digital applications may be submitted to the City Manager via e-mail; contact information is made available on the City's website www.beecavetexas.gov.
- 3) If your application is included on the HOT Committee agenda as posted, you will have the opportunity to provide a presentation to the Committee during their public meeting.
- 4) The City Manager or designee of the City of Bee Cave will review the application for completeness.
- 5) Each applicant will be notified of an award following approval by the HOT Committee at which time one-half of the approved funding may then be requested by the organizer.
- 6) A post-event report is required in order to receive final payment. Once the event is complete, receipts that reflect actual expenditures must be submitted. City Manager or designee of the City of Bee Cave will review the post-event report for completeness.
- 7) The remaining one-half of approved funding amount may then be distributed to the applicant. Unspent funds or unapproved expenditures will not be paid. The applicant may be asked to provide additional documentation prior to receiving a final funding payment. Failure to request funds prior to the end of the fiscal year (September 30th) for which they were granted may result in forfeiture.

Rules Governing the Hotel Occupancy Tax Application

The applicant must present evidence the event will increase overnight stays in the City of Bee Cave that are consistent with the amount of HOT revenues requested.

An example: the event takes place over several days; a portion of the participants travel more than 100 miles and stay in lodging located in the City of Bee Cave.

- 1) Funding requests of hotel occupancy tax revenues may statutorily be used only for the promotion of tourism. Expenditure of funds for unauthorized purposes may result in recapture and/or adversely impact future requests.
- 2) The applicant must ensure that www.beecavetexas.gov is listed as a source for the City of Bee Cave on any and all promotional information you provide to registrant and/or vendor/event attendees, including event websites. Also all Bee Cave hotels must be advised of the event in advance, have access to mailing lists including sufficient time to participate in the bidding for both primary bookings and overflow.
- 3) Future applications should include information collected from the post event report to facilitate requests for new funding.



Application for Use of Hotel Occupancy Tax

Organization Information

Organization Name: _____

Contact Name: _____ Date: _____
MM/DD/YYYY

Address: _____
Street

City State Zip Code

Phone: _____ Email: _____

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

Purpose of Organization:

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.

Event and/or Expenditure Description

Name of event/expenditure: _____

Website address: _____

Date(s): _____

Will there be an admission charge? Yes No

List any additional charges (i.e. parking, entry fees for contests, etc...)

Activity: _____ Cost: \$ _____

Activity: _____ Cost: \$ _____

Activity: _____ Cost: \$ _____

Primary location: _____

What is specifically being marketed or promoted (i.e. facility, event, etc...)

Purpose and goal of your organization and who benefits from your success:

Impact

Number of people attending this event/expenditure from previous year:

Local: _____ Out of Town: _____

Number of people expected to attend this event/expenditure this year:

Local: _____ Out of Town: _____

Approximate number of people attending stay overnight in Bee Cave: _____

Do you reserve a room block for this event/expenditure? Yes No

List hotels you negotiated a special rate if this reimbursement request is being used for an event.
DO NOT LIST RATES.

Funding Request

Total Amount Requested: \$_____

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

Total advertising/promotion budget: \$_____

- a) What is your organization's direct contribution to the above? \$_____
- b) What other sources of funding are being applied for or have been received for the advertising/promotion of your organization?

- c) How will the funds be used?

- 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	\$_____
Other (describe)	\$_____

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.

Organization Name

Applicant Signature

Date



Post Event Required Reporting

Thank you for promoting tourism and the hotel industry in Bee Cave through the utilization of Hotel Occupancy Tax (HOT) funds. The Texas Tax Code provides a set of rules that state how the revenue from the Hotel Occupancy Tax may be used only to directly enhance and promote tourism and the hotel and convention industry.

All entities that are approved for the utilization of Hotel Occupancy Tax (HOT) funds must submit a Post Event Form for each event. This report, as submitted, will be reviewed by the City of Bee Cave to determine compliance and will be used in consideration of future hotel occupancy tax funding requests.

Please return completed Post Event Report with attachments 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.

**PLEASE NOTE: FAILURE TO SUBMIT THE POST EVENT REPORT MAY RESULT IN
INELIGIBILITY FOR FUTURE FUNDING FROM CITY OF BEE CAVE HOTEL OCCUPANCY
TAX**



Organization Information

Organization Name: _____

Contact Name: _____ Date: _____
MM/DD/YYYY

Address: _____
Street

_____ *City* _____ *State* _____ *Zip Code*

Phone: _____ Email: _____

Event Information

Name of Event/Expenditure: _____

Date of Event/ Expenditure: _____

Primary Location: _____

Primary Purpose: _____

Amount of HOT Funds Received: \$ _____

Amount of HOT Funds Used: \$ _____

1. Estimated Attendance: _____
2. Room nights generated: _____
3. Total Promotional Cost: _____
4. Did you receive City services for your event? Yes No
5. If so, have the services been paid for? Yes No

Along with the Post Event Report, submit the following attachments (**required**):

1. Samples of documents showing how venues in Bee Cave were recognized in your advertising and/or promotional campaign(s).
2. Copies of all invoices.

LTYA / Austin Lacrosse Fall Invitational

November 15-17, 2024

Advertising, Marketing, Promotional and Sales/Solicitations Cost Budget/Estimate

Reef Lacrosse

Marketing/Advertising Support - \$7500

E-brochure updated for Fall 2024 offering

Update & maintain email prospect list

Website management & Updates– June 2024 through November 2024

Respond to website inquiries

Create E-blast email templates

eblasts to team prospects

Respond to email inquiries

Social media creation and management

Respond to social media questions/comments and overall social media management

Communication management to registered teams on where to stay, what to do, where to eat

Direct Sales - \$15,000

Direct sales to lacrosse organizations June through October

Promotional Incentives & Discounts - \$15000

Marketing video & photography - \$1500

Onsite Labor Allocation at Tournament Headquarters during the tournament to Tourism Support- \$500

Allocation of Onsite Labor at tournament headquarters to answer questions on the tournament, tourism (where to eat, team parties, other activities) and to pass out information on Bee Cave and Lakeway.

Allocation of LTYA Labor in support of Advertising, Marketing, Promotional and Sales/Solicitations (Scott & Corina) - \$13,300

Scott is overall oversight of the event, hotel room blocks/Sonesta interface, use of Bee Cave and Lakeway marks/logos in social media, advertising, marketing and sales collateral, management of Reef Lacrosse and their processes/activities, registrations system, financial management etc.

Corina handles all the purchasing of any items needed for the event as well as sourcing Bee Cave and Lakeway marketing collateral to be handed out at tournament headquarters.

Total: \$52,800



Guidelines and Procedures

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- 2) To be considered for funding, applicants must complete an application including all required attachments. Digital applications may be submitted to the City Manager via e-mail; contact information is made available on the City's website www.beecavetexas.gov.
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- 6) A post-event report is required in order to receive final payment. Once the event is complete, receipts that reflect actual expenditures must be submitted. City Manager or designee of the City of Bee Cave will review the post-event report for completeness.
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Rules Governing the Hotel Occupancy Tax Application

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An example: the event takes place over several days; a portion of the participants travel more than 100 miles and stay in lodging located in the City of Bee Cave.

- 1) Funding requests of hotel occupancy tax revenues may statutorily be used only for the promotion of tourism. Expenditure of funds for unauthorized purposes may result in recapture and/or adversely impact future requests.
- 2) The applicant must ensure that www.beecavetexas.gov is listed as a source for the City of Bee Cave on any and all promotional information you provide to registrant and/or vendor/event attendees, including event websites. Also all Bee Cave hotels must be advised of the event in advance, have access to mailing lists including sufficient time to participate in the bidding for both primary bookings and overflow.
- 3) Future applications should include information collected from the post event report to facilitate requests for new funding.



Application for Use of Hotel Occupancy Tax

Organization Information

Organization Name: _____

Contact Name: _____ Date: _____
MM/DD/YYYY

Address: _____
Street

_____ *City* _____ *State* _____ *Zip Code*

Phone: _____ Email: _____

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

Purpose of Organization:

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.

Event and/or Expenditure Description

Name of event/expenditure: _____

Website address: _____

Date(s): _____

Will there be an admission charge? Yes No

List any additional charges (i.e. parking, entry fees for contests, etc...)

Activity: _____ Cost: \$ _____

Activity: _____ Cost: \$ _____

Activity: _____ Cost: \$ _____

Primary location: _____

What is specifically being marketed or promoted (i.e. facility, event, etc...)

Purpose and goal of your organization and who benefits from your success:

Impact

Number of people attending this event/expenditure from previous year:

Local: _____ Out of Town: _____

Number of people expected to attend this event/expenditure this year:

Local: _____ Out of Town: _____

Approximate number of people attending stay overnight in Bee Cave: _____

Do you reserve a room block for this event/expenditure? Yes No

List hotels you negotiated a special rate if this reimbursement request is being used for an event.
DO NOT LIST RATES.

Funding Request

Total Amount Requested: \$_____

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

Total advertising/promotion budget: \$_____

- a) What is your organization's direct contribution to the above? \$_____
- b) What other sources of funding are being applied for or have been received for the advertising/promotion of your organization?

- c) How will the funds be used?

- 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	\$_____
Other (describe)	\$_____

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.

Organization Name

Applicant Signature

Date



Post Event Required Reporting

Thank you for promoting tourism and the hotel industry in Bee Cave through the utilization of Hotel Occupancy Tax (HOT) funds. The Texas Tax Code provides a set of rules that state how the revenue from the Hotel Occupancy Tax may be used only to directly enhance and promote tourism and the hotel and convention industry.

All entities that are approved for the utilization of Hotel Occupancy Tax (HOT) funds must submit a Post Event Form for each event. This report, as submitted, will be reviewed by the City of Bee Cave to determine compliance and will be used in consideration of future hotel occupancy tax funding requests.

Please return completed Post Event Report with attachments 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.

**PLEASE NOTE: FAILURE TO SUBMIT THE POST EVENT REPORT MAY RESULT IN
INELIGIBILITY FOR FUTURE FUNDING FROM CITY OF BEE CAVE HOTEL OCCUPANCY
TAX**



Organization Information

Organization Name: _____

Contact Name: _____ Date: _____
MM/DD/YYYY

Address: _____
Street

_____ *City* _____ *State* _____ *Zip Code*

Phone: _____ Email: _____

Event Information

Name of Event/Expenditure: _____

Date of Event/ Expenditure: _____

Primary Location: _____

Primary Purpose: _____

Amount of HOT Funds Received: \$ _____

Amount of HOT Funds Used: \$ _____

1. Estimated Attendance: _____
2. Room nights generated: _____
3. Total Promotional Cost: _____
4. Did you receive City services for your event? Yes No
5. If so, have the services been paid for? Yes No

Along with the Post Event Report, submit the following attachments (**required**):

1. Samples of documents showing how venues in Bee Cave were recognized in your advertising and/or promotional campaign(s).
2. Copies of all invoices.

Company	Company Location (if applicabl	Item	Quantity	Cost
Reef Lacrosse	Austin	Direct Sales, promotion of event		26,000.00
Hen's bread productions	Austin	Videography		1,299.00
Stoke's Sign Company	Lakeway	banner and step and repeat		398.61
Stoke's Sign Company	Lakeway	banner and other materials		547.79
Sonesta	Bee Cave		64 rooms	
				28,245.40



City Council Meeting
10/22/2024
Agenda Item Transmittal

Agenda Item: 8.

Agenda Title: Discuss and consider action on Hotel Occupancy Tax Fund application from Special Olympics Texas.

Council Action: Discussion and possible action

Department: Administration

Staff Contact: Rebecca Regueira, Assistant to the City Manager

1. INTRODUCTION/PURPOSE

To discuss and consider action regarding an application from the Special Olympics of Texas for use of Hotel Occupancy Tax Funds.

2. DESCRIPTION/JUSTIFICATION

a) Background

As provided in the application, the Special Olympics Texas (SOTX) Winter Games is a statewide competition where Athletes with Intellectual Disabilities throughout the State of Texas compete in Floorball, Volleyball, and Powerlifting. The event is planned to take place February 14 - February 16, 2025. There are approximately 2500 overnight guests expected for the event. Both Bee Cave and Lakeway have been approached for funding as cooperation from each city is not only ideal but necessary to ensure event success.

The organization is partnering with Hill Country Indoor, Star Hill Ranch, and Lake Travis ISD. Events and activities will be spread throughout different facilities including Bee Cave and Lake Travis Middle School campuses.

b) Issues and Analysis

Special Olympics Texas applied and was approved to receive \$300,000 in Hotel Occupancy Tax from the City of Lakeway at their August 19, 2024 Council meeting. At this time, SOTX has requested \$100,000 in funding from the Hotel Occupancy Tax from the City of Bee Cave.

Special Olympics Texas application history with the City of Bee Cave is as follows:

- 2021 - Requested \$100,000 - \$100,000 approved at the October 12 City Council Meeting
- 2022 - Requested \$250,00 - \$200,000 approved at the November 8 City Council Meeting
- 2023 - Requested \$150,000 - \$100,000 approved at the October 24 City Council Meeting

The organization has expressed interest in holding the annual Winter Games in the area for 3-5 years.

3. FINANCIAL/BUDGET

Amount Requested	\$100,000	Fund/Account No.	Hotel Occupancy Tax Fund 04
Cert. Obligation		GO Funds	
Other source		Grant title	
Addtl tracking info			

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
<input type="checkbox"/> SOTX HOT Fund Application	Backup Material
<input type="checkbox"/> Board of Directors	Backup Material
<input type="checkbox"/> 2025 Winter Olympics Event Schedule	Backup Material
<input type="checkbox"/> SOTX List of Expenditures	Backup Material
<input type="checkbox"/> SOTX 2025 Winter Games Planning Timeline	Backup Material
<input type="checkbox"/> SOTX Marketing Plan	Backup Material
<input type="checkbox"/> SOTX Presentation	Backup Material
<input type="checkbox"/> 2024 Winter Games Post Event Report	Backup Material
<input type="checkbox"/> SOTX 2024 Winter Games Expenses from Post Funding Report	Backup Material



Guidelines and Procedures

The City of Bee Cave accepts applications from organizations wishing to receive financial support through the Local Hotel Occupancy Tax (HOT) revenue collected.

- 1) The City Council serves as the Hotel Occupancy Tax (HOT) Committee and convenes on an as-need basis but no less than quarterly intervals. The HOT Committee will typically convene prior to regular City Council meetings which are generally scheduled on the 2nd and 4th Tuesdays of each month.
- 2) To be considered for funding, applicants must complete an application including all required attachments. Digital applications may be submitted to the City Manager via e-mail; contact information is made available on the City's website www.beecavetexas.gov.
- 3) If your application is included on the HOT Committee agenda as posted, you will have the opportunity to provide a presentation to the Committee during their public meeting.
- 4) The City Manager or designee of the City of Bee Cave will review the application for completeness.
- 5) Each applicant will be notified of an award following approval by the HOT Committee at which time one-half of the approved funding may then be requested by the organizer.
- 6) A post-event report is required in order to receive final payment. Once the event is complete, receipts that reflect actual expenditures must be submitted. City Manager or designee of the City of Bee Cave will review the post-event report for completeness.
- 7) The remaining one-half of approved funding amount may then be distributed to the applicant. Unspent funds or unapproved expenditures will not be paid. The applicant may be asked to provide additional documentation prior to receiving a final funding payment. Failure to request funds prior to the end of the fiscal year (September 30th) for which they were granted may result in forfeiture.

Rules Governing the Hotel Occupancy Tax Application

The applicant must present evidence the event will increase overnight stays in the City of Bee Cave that are consistent with the amount of HOT revenues requested.

An example: the event takes place over several days; a portion of the participants travel more than 100 miles and stay in lodging located in the City of Bee Cave.

- 1) Funding requests of hotel occupancy tax revenues may statutorily be used only for the promotion of tourism. Expenditure of funds for unauthorized purposes may result in recapture and/or adversely impact future requests.
- 2) The applicant must ensure that www.beecavetexas.gov is listed as a source for the City of Bee Cave on any and all promotional information you provide to registrant and/or vendor/event attendees, including event websites. Also all Bee Cave hotels must be advised of the event in advance, have access to mailing lists including sufficient time to participate in the bidding for both primary bookings and overflow.
- 3) Future applications should include information collected from the post event report to facilitate requests for new funding.



Application for Use of Hotel Occupancy Tax

Organization Information

Organization Name: Special Olympics Texas

Contact Name: Chad Eason Date: 09/24/2024

MM/DD/YYYY

Address: 4732 Whirlwind Dr.

Street

San Antonio

TX

78217

City

State

Zip Code

Phone: 512-947-8153 Email: ceason@sotx.org

Is your organization: Non-profit Private/For-Profit Tax ID# 74-1998367

Purpose of Organization:

The mission of Special Olympics Texas is to provide year-round sports training and competition in a variety of Olympic-type sports for children & adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy & participate in a sharing of gifts and skills.

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.

Event and/or Expenditure Description

Name of event/expenditure: Special Olympics Texas Winter Games

Website address: www.sotx.org

Date(s): February 14-16, 2025

Will there be an admission charge? Yes No

List any additional charges (i.e. parking, entry fees for contests, etc...)

Activity:	_____	Cost: \$	_____
Activity:	_____	Cost: \$	_____
Activity:	_____	Cost: \$	_____

Primary location: HCI Sports & Fitness, Lake Travis ISD, Local hotels

What is specifically being marketed or promoted (i.e. facility, event, etc...)

SOTX will host our Winter Games in Bee Cave/Lakeway area. This is a statewide competition where athletes with intellectual disabilities will come from across Texas to compete in Floorball, Powerlifting, Golf, Volleyball and FUNdamental Sports. This event will bring volunteer opportunities and awareness to SOTX and the IDD community.

Purpose and goal of your organization and who benefits from your success:

It is our vision to become the premier provider of Special Olympics training and competition in the world. We approach each endeavor to improve the quality of life for our athletes. The challenges of the future are embraced with enthusiasm and commitment, ensuring that the changing face and needs of our athletes are met.

Impact

Number of people attending this event/expenditure from previous year:

Local: 700 Out of Town: 1,500

Number of people expected to attend this event/expenditure this year:

Local: 750 Out of Town: 1,500

Approximate number of people attending stay overnight in Bee Cave: 2,500

Do you reserve a room block for this event/expenditure? Yes No

List hotels you negotiated a special rate if this reimbursement request is being used for an event. DO NOT LIST RATES.

Sonesta Bee Cave Austin Hotel

Mountain Star Inn

Funding Request

Total Amount Requested: \$ 100,000

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

Total advertising/promotion budget: \$ 15,000

- a) What is your organization's direct contribution to the above? \$ 0
- b) What other sources of funding are being applied for or have been received for the advertising/promotion of your organization?
City of Lakeway
- c) How will the funds be used?
These funds will be used to provide our teams lodging, meals, transportation and competition venues. We will look to provide hotels at no charge for our athletes and teams who would not be able to attend without this assistance.
- d) Please indicate all promotion efforts your organization is coordinating and the amount financially committed to each media outlet:

Paid Advertising	\$ <u>6,000</u>
Radio	\$ <u>3,000</u>
Newspaper	\$ _____
Press Releases to Media	\$ _____
Television	\$ <u>5,000</u>
Direct Mailing	\$ _____
Distribution of Brochures	\$ <u>1,000</u>
Other (describe)	\$ _____

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.

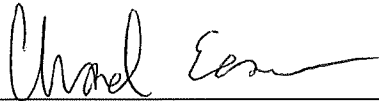
With my signature below, I understand the Hotel Occupancy Tax (HOT) Application, Process, Reimbursement, and all associated Rules Governing the Application established by the City of Bee Cave. I intend to use this funding for the event as described herein to promote the efforts of the City of Bee Cave 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.

Special Olympics Texas

Organization Name



Applicant Signature

9/24/24

Date

2024 BOARD OF DIRECTORS ROSTER

Chair - Pete Carey; **Vice Chair** - David Mantor; **2024 Emeritus - Immediate Past Chair** - Susanne Brady-Lusk;
Treasurer - Gabe Kwentus; **Secretary** – Rick McCarty; **At Large BMC**- - Chris Kingston

Sam Arciniega (2017)

(Area 4) M - Hispanic
HEB Blackhawk
General Manager
9828 Blackhawk Blvd
Houston, TX 77075
Harris County
713.991.2774 (w)
361.774.6617 (c)
arciniega.sam@heb.com

Brock Bayles (2023)

(Area 10) M - Caucasian
Vice President, Toyota Private Label,
Toyota Motor Credit Corporation
6565 Headquarters Drive
Plano, TX 75024
Collin County
310.357.1924 (c)
Brock.Bayles@toyota.com
972.655.8624 (c)
Assistant - Jennifer Petry
jennifer.petry@toyota.com

Byron Blevins (2019)

(Area 13) M - Caucasian
Sr. Program Manager,
Training and Enablement
Google Maps
500 W 2nd Street
Austin, TX 78701
Travis County
mailing- 2500 Enfield Rd,
Unit 5
Austin, TX 78703
512.681.8875 (c)
bblevins@google.com

Elizabeth Campbell (2022)

(Area 16) Athlete F - Caucasian
5241 S Washington St.
Amarillo, TX 79110
Potter County
806.654.1046
campbell.advo2017@gmail.com

Marian Cabanillas (2019)

(Area 4) F - Hispanic
President, Health Plan Operations
UnitedHealthcare of Texas
14141 Southwest Freeway, Ste. 500
Sugar Land, TX 77478
Fort Bend County
832.500.6446 (office)
866.374.4790 (fax)
mailing: 2411 Wordsworth St.
Houston, TX 77030
713.446.4106
marian_cabanillas@uhc.com
Assistant - Stephanie Vanarsdale
stephanie_n_vanarsdale@uhc.com

Pete Carey (2019)

(Area 10) M - Caucasian
Retired - Toyota
3234 Northgate
Celina, Texas 75009
Collin County & Denton County
310.938.0721 (c)
petecarey23@gmail.com

Renee' Downey (2024)

Area (10) F - Caucasian
Area Director of Sales and Operations –
Houston
Arca Continental Coca-Cola
Southwest Beverages
10475 Deer Trail Drive
Houston, Texas 77038
Harris County
806-470-5643 (c)
deidra.downey@cocacolaswb.com

Chief Eddie Garcia (2022)

(Area 10) M - Black
Dallas Police Department
Jack Evans Police Headquarters
1400 Botham Jean Blvd
Dallas, Texas 75215
Dallas County
214.671.3001 (w)
eddie.garcia@dallascityhall.com
Assistant - Susana Villalpando
susana.villalpando@dallascityhall.com
[m](#)

Steve Griffith (2016)

(Area 13) M - Caucasian
Retired
204 Drawing Maple St
San Marcos, TX 78666
Hays County
281.731.2445 (c)
StephenMGriffith@me.com
[\(Alt\)swgriffith@comcast.net](mailto:(Alt)swgriffith@comcast.net)

Mike Hayes (2020)

(Area 10) M - Caucasian
Executive Vice President,
Exeter Finance
2701 E Grauwlyer Rd
BLDG 1, Irving, TX 75061
mailing: 4525 Cole Ave Apt 1427
Dallas, TX 75205
214.708.8235
michael.hayes013@gmail.com

Ralph Herring O.D., M.H.A. (2015)

(Area 4) M - Caucasian
Assistant Dean for Professional
Studies at University of Houston
1610 Harvard Street
Houston, TX 77008-4338
Harris County
713.743.1917 (w)
713.857.9411 (c)
rjh77008@gmail.com

Dale Hosack (2016)

(Area 4) M - Caucasian
Retired - Western Container
13316 Newcastle Creek Court,
Houston, TX 77059
Harris County
512.423.0882 (c)
dale.hosack@gmail.com

2024 BOARD OF DIRECTORS ROSTER

Chair - Pete Carey; **Vice Chair** - David Mantor; **2024 Emeritus - Immediate Past Chair** - Susanne Brady-Lusk;
Treasurer - Gabe Kwentus; **Secretary** – Rick McCarty; **At Large BMC** - Chris Kingston

Dr. Jordan Kemere (2023)

(Area 4) F- Caucasian
Internal Medicine Physician
Assistant Professor
Baylor College of Medicine
1 Moursund St,
Houston, TX 77030
Harris County
mailing - 8531 Hatton St
Houston, Tx 77025
510.295.9495 (c)
Kemere@bcm.edu
Jkemere@gmail.com

Chris Kingston (2019)

(Area 10) M - Caucasian
Vice President
Learfield
1811 Stillhouse Hollow Dr
Prosper, TX 75078
Collin County
419.601.4460 (c)
469.241.9191 ext 1844 (w)
ckingston@learfield.com

Gabe Kwentus (2019)

(Area 10) M - Caucasian
Partner
PricewaterhouseCoopers, LLP
2121 N Pearl St
Dallas, TX 75201
Dallas County
214.725.8263
chicotexasbnk@gmail.com

Shaun Linsey (2022)

(Area 22) Athlete M - Caucasian
5222 Waterbeck St
Fulshear, TX 77441
Fort Bend County
832.622.8369
GIS Technician
slinsey@sotx.org
thelinseyfamily@aol.com

David Mantor (2019)

(Area 04) M - Caucasian
Senior Council
Exxon Mobil Corporation
22777 Springwoods Village Pkwy
N1.4B.334
Spring, TX 77389
Harris County
713.823.4261 (c)
david.b.mantor@exxonmobil.com

Rick McCarty (2013 & 2022)

(Area 20) M - Caucasian
Retired
Special Education Administrator
5722 Southern Oaks
San Antonio, TX 78261
Bexar County
210.501.9200 (c)
wrmccarty@sbcglobal.net

Jessica McFarlin (2022)

(Area 11) F - Caucasian
WellPoint
Director of Operations
mailing: 617 Lewis Lane,
Keene, TX 76059
Johnson County
817.456.6720 (w)
817.933.8040 (c)
Jessica.McFarlin@wellpoint.com

Rolando Pablos (2023)

(Area 20) M - Hispanic
CEO
Cross National Advisory Partners
1036 Liberty Park Dr., #18
Austin, TX 78746
Travis County
210.240.3641(c)
rpb@x-national.com

Chief Doug Reim (2018)

(Area 11) M - Caucasian
Highland Village Police Dept.
3325 Furlong Drive
Flower Mound, TX 75022
Denton County
817.706.6371 (c)
dreim@highlandvillage.org

Jan Sartain (2018)

(Area 13) F - Caucasian
Retired, Round Rock ISD
3008 Welton Cliff Drive
Cedar Park, TX. 78613
Travis County
512-917-5569
Jan.sartain2017@gmail.com

Chad Salge (2023)

(Area 10) M- Caucasian
VICE PRESIDENT
The Brandt Companies
1728 Briercroft Court
Carrollton, TX. 75006
Denton County
mailing: 9007 Woodhurst Drive
Dallas, TX 75243
830.708.5999
chad.salge@brandt.us

Chad Tywater (2015)

(Area 13) M - Caucasian
Walmart
917 Hyde Park
Round Rock, TX 78665
Williamson County
512.352.5505 (w)
512.507.6261 (c)
chad.tywater@yahoo.com

2024 BOARD OF DIRECTORS ROSTER

Chair - Pete Carey; **Vice Chair** - David Mantor; **2024 Emeritus - Immediate Past Chair** - Susanne Brady-Lusk;
Treasurer - Gabe Kwentus; **Secretary** – Rick McCarty; **At Large BMC-** - Chris Kingston

***Emeritus Boardmembers -
non voting***

Steve Hayes (2017)

(Area 10) M - Caucasian
Senior VP- BRANDT
1728 Briercroft Ct
Carrollton, TX 75006
Denton County
972.395.6197 (w)
972.395.6597 (f)
214.587.9468 (c)
Steve.Hayes@brandt.us

Susanne Brady-Lusk (2018)

(Area 4) F - Caucasian
Vice Pres/Market Unit General
Mgr.
Arca Continental Coca-Cola
Southwest Beverages
10475 Deer Trail Drive
Houston, Texas 77038
Harris County
mailing: 500 Crawford St #715
Houston, TX 77002
281.380.7156 (c)
Susanne.Brady-Lusk@cocacola.com
swb.com
Assistant - Deborah Kesterton
deborah.kesterton@cocacola.com
wb.com



2025 Winter Games Event Guide

Competitions	SITE	FRI 2/14	SAT 2/15	SUN 2/16
Team Registration	HCI Sports & Fitness 13875 Bee Cave Pkwy Bee Cave, TX 78738	9:00am-4:00pm		
Coaches Meeting (VB)	HCI Sports & Fitness 13875 Bee Cave Pkwy Bee Cave, TX 78738	11:30am – 12:00pm		
Coaches Meeting (All other sports)	Virtual			
Powerlifting Weigh Ins	HCI Sports & Fitness 13875 Bee Cave Pkwy Bee Cave, TX 78738	9am-5pm OR via Google Form		
Volleyball	HCI Sports & Fitness 13875 Bee Cave Pkwy Bee Cave, TX 78738	12:00pm-4:00pm Classifications	8:30am-5:00pm Competition 11:30am-1:30pm Individual Skills	8:30am-2:00pm Competition
Floorball	Lake Travis Middle School 4932 Bee Creek Rd Spicewood, TX 78738		8:30am-5:00pm Competition	
Powerlifting	Bee Cave Middle School 5400 Vail Divide Austin, TX 78738		8:00am-7:00pm Competition	
Golf	Lions Municipal Golf Course 2901 Enfield Rd Austin, TX 78703		10:30am-5:00pm Competition (Levels 2-5 only)	
FUNDamental Sports (Infinitus Games)	Bee Cave Middle School 5400 Vail Divide Austin, TX 78738		10:00am-2:00pm	
SPECIAL EVENTS	SITE	FRI 2/14	SAT 2/15	SUN 2/16
Opening Ceremonies/ Victory Dance	Dripping Springs Ranch Park 1042 Event Center Drive Dripping Springs, TX 78620	Dinner 5:00pm-6:30pm OC/Victory Dance 7:00pm-9:00pm		
Healthy Athletes	HCI Sports & Fitness 13875 Bee Cave Pkwy Bee Cave, TX 78738		10:00am-3:00pm	
Champions Lounge/Athlete Village	HCI Sports & Fitness 13875 Bee Cave Pkwy Bee Cave, TX 78738		10:00am-3:00pm	
Meals	Each Venue		11:00am-1:00pm	

2025 SOTX Itemized List of Relevant Expenditures	
Item	Cost
<i>Facilities</i>	
HCI Sports & Fitness	\$25,000
LTISD	\$8,000
Dripping Springs Ranch Park	\$5,000.00
<i>Meals</i>	
Saturday Lunch	\$11,322.00
Saturday Dinner	\$18,870.00
Sunday Lunch	\$11,322.00
<i>Hotels</i>	
Hotel blocks	\$361,350.28
<i>Rental Equipment</i>	
Port-a-potties	\$1,700
Stage rental	\$4,000
Audio/Video	\$5,000
Tents	\$13,782
Golf carts/Vehicles	\$650
<i>Transportation</i>	
ISD Bus Rentals	\$3,641
<i>Traffic Control</i>	
PD Traffic Control/Security	\$5,000
<i>Entertainment</i>	
Opening Ceremony Band	\$10,085
<i>Marketing/Promotions</i>	
Promotionals	\$25,000
Marketing/Advertising	\$15,893
<i>Overall Costs</i>	
	\$525,615



Special Olympics Texas Winter Games Marketing Plan

Special Olympics Texas (SOTX) is committed to promoting inclusion, unity, and athletic excellence throughout the state. As we prepare for the 2025 Winter Games, SOTX has developed a comprehensive marketing strategy to ensure the event is well-publicized, fostering broad community engagement and participation.

1. Multi-Channel Social Media Campaigns Special Olympics Texas utilizes all major social media platforms to effectively communicate and engage with a wide audience across the state. Our platforms include:

- **Facebook:** Event announcements, participant spotlights, and updates to our largest community base.
- **Instagram:** Visual storytelling through photos, videos, and athlete highlights.
- **X (formerly Twitter):** Real-time updates, event news, and interactive campaigns with our followers.
- **LinkedIn:** Professional engagement, focusing on partnerships and volunteer recruitment.
- **YouTube:** Longer-form content, including athlete stories, event recaps, and interviews.
- **Full-Event live coverage:** utilizing Instagram Stories as well as social media of community members involved, we have full coverage of Winter Games, as it happens, across all SOTX social sites.

These platforms allow us to share impactful stories and generate excitement leading up to and during the Winter Games, maximizing visibility across various demographics.

2. Coordination with Traditional Media Outlets SOTX places great emphasis on traditional media to reach communities across Texas. Our approach includes:

- **Outreach to Local Media:** Well ahead of the Winter Games, we establish communication with local television stations, newspapers, and radio stations in the hosting area and beyond. This outreach involves personalized emails, phone calls, and, where appropriate, in-person meetings with media representatives to ensure substantial coverage before, during, and after the event. Because of its proximity, the entire greater Austin media is invited as well. This ensures as much coverage as possible for Lakeway and Bee cave.
- **Media Kits:** We provide detailed media kits, including press releases, athlete profiles, and event schedules, to facilitate timely and comprehensive reporting.

3. Volunteer Photographers and Videographers A key element of our marketing strategy is the inclusion of skilled volunteer photographers and videographers. These volunteers help capture the spirit of the event while providing invaluable content for promotional purposes. Their contributions allow us to archive the events and share the experience with a broader audience, both in real-time and in post-event materials.

4. Winter Games Press Conference Approximately two months prior to the Winter Games, SOTX hosts a press conference in the event's host city (venues have varied but we can count on a Bee Cave or Lakeway press conference). This press conference serves multiple purposes:

- **Community Engagement:** It highlights the host city's integral role and the broader community's support, fostering a sense of ownership and pride among residents.
- **Media Involvement:** Local media outlets are personally invited to attend and cover the press conference. This early engagement ensures media representatives are well-prepared to feature the Winter Games in their programming and publications.
- **Local Leadership Participation:** Speakers at the press conference include notable city leaders, community influencers, and representatives from SOTX. Their participation reinforces the close partnership between the city and SOTX, emphasizing the importance of community involvement in the success of the event.

5. Collaboration with Local Community Influencers We recognize the importance of grassroots efforts to generate local excitement. As part of our strategy, SOTX seeks out key community figures—business leaders, educators, civic groups, and other local influencers—who can act as ambassadors for the event. These individuals help spread awareness through their networks, amplifying our outreach and ensuring that the Winter Games resonate deeply within the host city and surrounding areas.

Special Olympics Texas Winter Games 2025 February 14-16, 2025



Special Olympics
Texas



What Impact will Special Olympics Texas have on your community during Winter Games?



- Whole-community awareness and **engagement**
- **Inclusive** culture and **Empowerment**
- Making the games *a destination* for statewide and global guests!
- Let's look at the numbers.



The impact: **Room Nights**



- Over the past three years, the Winter Games have brought excitement **(and growth!)** to Bee Cave, filling the town's hotels with a remarkable number of room nights

- ▶ **2022: 430**
- ▶ **2023: 485**
- ▶ **2024: 499**



The turnout: **Athlete Participation**



- How participation in the Winter Games has **grown** and **thrived** over the past three years

▶ **2022: 590**

▶ **2023: 1,202**

▶ **2024: 1,342**



Financials at a glance



- Here's a look at the spending totals and dollar amounts put back into the community for the Winter Games over the past three years:

- **2022: \$240,967.67**
- **2023: \$515,987.08**
- **2024: \$614,581.95**



Schedule of Events at the 2025 Winter Games



- February 14 - 16, 2025
 - Competitions in Golf, Floorball, Powerlifting, Volleyball and FUNdamental Sports.
 - Opening Ceremony and Victory Dance
 - Healthy Athletes–free screenings (*approx 500 health screenings in 2024*)
 - Champions Lounge



2025 Ask from Special Olympics Texas



For continued growth and making the 2025 Winter Games a destination and experience for Special Olympics athletes and guests, we are asking the City of Bee Cave for \$100,000

*Let's take the 2025
Winter Games to the
next level!*

Special Olympics
Texas



CITY OF

Post Event Report

Organization Information

Organization Name: Special Olympics Texas
 Contact Name: Chad Eason Date: 03/01/2024
MM/DD/YYYY
 Address: 4732 Whirlwind Dr.
Street
San Antonio TX 78217
City State Zip Code
 Phone: (512) 947-8153 Email: CEASON@SOTX.ORG

Event Information

Name of Event/Expenditure: Special Olympics Texas Winter Games
 Date of Event/ Expenditure: Feb. 16-18, 2024
 Primary Location: HCI Sports & Fitness, Lake Travis SSD
 Primary Purpose: Host statewide special olympics competition for individuals with intellectual disabilities.
 Amount of HOT Funds Received: \$ 100,000
 Amount of HOT Funds Used: \$ 100,000

1. Estimated Attendance: 2,500
2. Room nights generated: 1,560
3. Total Promotional Cost: 23,979.95
4. Did you receive City services for your event? Yes No
5. If so, have the services been paid for? Yes No

Along with the Post Event Report, submit the following attachments (**required**):

1. Samples of documents showing how venues in Bee Cave were recognized in your advertising and/or promotional campaign(s).
2. Copies of all invoices.



**Special
Olympics**
Texas

2024 Winter Games T-Shirts

020224



INK COLORS

- 7465C
- 630C
- 573C
- Pantone Cool Grey 11 C
- White

N6210 Prime Plus Next Level Apparel Unisex CVC Crewneck T-Shirt
Midnight Navy

(Ordering from Stitch Gallery)



**Special
Olympics**
Texas

2024 Winter Games T-Shirts

020224



N6210 Prime Plus Next Level Apparel Unisex CVC Crewneck T-Shirt
Midnight Navy

INK COLORS

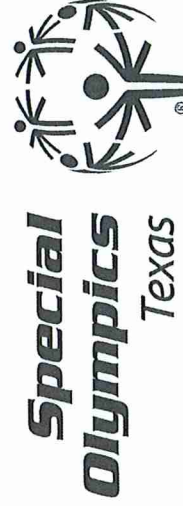
White

(Ordering from Stitch Gallery)

Join Us!

FEBRUARY 16 - 18

OPEN TO THE PUBLIC



www.sotx.org/winter-games

THANKS TO OUR SPONSORS

Presenting Sponsors



Lakeway
TEXAS



BEE CAVE
TEXAS
Simply Elevated



Presenting Sponsor for
Fundamental Sports
SPECIAL OLYMPICS TEXAS

Silver Sponsor

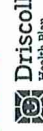


Bronze Sponsor



Community Sponsors

COVERT BEE CAVE
Healthy. Wealthy. Proud.



TEXAS
ABLE
A PART OF THE STATE

HILL COUNTRY
GALLERIA



Lakeway
TEXAS



BEE CAVE
TEXAS
Simply Elevated



SPECIAL OLYMPICS TEXAS

Winter GAMES



Lakeway
TEXAS



BEE CAVE
TEXAS
Simply Elevated

Join Us!

February 16 - 18, 2024

OPEN TO THE PUBLIC

www.sotx.org/winter-games



**Special
Olympics**
Texas

THANK YOU, WINTER GAMES SPONSORS!



Presenting Sponsors



Lakeway
TEXAS



BEE CAVE
TEXAS
Simply Elevated

Silver Sponsor



Community Sponsors

COVERT BEE CAVE
A Family tradition since 1889



Wellpoint[™]

Presenting Sponsor for

FUNDAMENTAL Sports
SPECIAL OLYMPICS TEXAS

Bronze Sponsor



HILL COUNTRY
GALLERIA

Company	Company Location (if a)		Item	Cost
Stitch Gallery	Lakeway		apparel	15,551.45
Halo	Illinois		Attendee Journals	2222.5
RedTop Printing	Lakeway		booklets, flyers	587.00
Rudy's	Austin		Breakfast	142.45
Rudy's	Austin		Breakfast	388.5
LTISD			Bus rental	3,612.70
Mission Golf Cars	Buda		Golf car rental	487.13
Springhill Suites by Marriot Austin West/Lakeway			Hotel Block	61,583.15
Mountain Star Lodge	Bee Cave		Hotel Block	7,079.45
Hampton Inn	Lakeway		Hotel Block	9,060.62
Holiday Inn	Lakeway		Hotel Block	7,645.00
Hyatt Place Austin/ Lake Travis / Four Points			Hotel Block	8,084.00
La Quinta	Lakeway		Hotel Block	38,130.00
Residence Inn Austin Lake Travis / River Place			Hotel Block	8,281.00
Sonesta	Bee Cave		Hotel Block	114,750.00
Aloft Austin Southwest			Hotel Block	17,940.00
Lakeway Resort and Spa	Lakeway		Hotel Block, Room Rental, Catering, Audio/Visual	278,145.34
Halo	Illinois		ID badges, lanyards, set up charge	1,655.00
360 Press Solutions	Cedar Park		Leadership Conference Table Tents	175
Schlotsky's	Bee Cave		Lent Dinner Option	679
Schlotsky's	Bee Cave		Lent Lunch Option	162.37
Jersey Mike's Subs	Bee Cave		Lunch	2544.38
Jersey Mike's Subs	Bee Cave		Lunch	2212.5
Star Hill Ranch			Opening Ceremony & Victory Dance rental	10,637.50
Halo	Illinois		Pens	300
Halo	Illinois		polar plunge towels	2072
Lake Travis ISD (BCMS)			Rental Fee of athletic facility	4,480.00
Dripping Springs Ranch Park	Dripping Springs		Rental Fee of athletic facility	3,175.00
Hill Country Indoor	Bee Cave		Rental Fee of athletic facility	20,000.00
Wizard Pins	Massachusetts		soft enamel pins	2232
Liftingcast LLC			SOTX lifters	150
Lions Golf Course			Sporting event rental	3,294.00
Choice Party Linens	Pennsylvania		Table Linens	419.28
Illusions tens, rentals, event design	San Antonio		tent, water barrels, biljax, astro turf, tables, etc)	6203.51
Kwik Ice				825.00
				634,906.83



*City Council Meeting
10/22/2024
Agenda Item Transmittal*

Agenda Item: 9.

Agenda Title: Public hearing, discussion, and possible action on Ordinance No. 552 amending zoning for property addressed as 14310 W. State Hwy. 71 and 15201 Falcon Head Blvd., Bee Cave, Texas 78738, known locally as the Falconhead Golf Course, from Neighborhood Mixed-Use District (MU-N) to Golf and Amenity District (GA).

Council Action: Discussion and possible action

Department: Planning and Development

Staff Contact: Carly Pearson, Planning and Development Director

1. INTRODUCTION/PURPOSE

See TL attached

2. DESCRIPTION/JUSTIFICATION

a) Background

See TL attached

b) Issues and Analysis

See TL attached

3. FINANCIAL/BUDGET

Amount Requested
Cert. Obligation
Other source
Addtl tracking info

Fund/Account No.
GO Funds
Grant title

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
☐ Transmittal Letter	Resolution Letter
☐ City of Bee Cave Official Zoning Map	Backup Material
☐ Ordinance No. 552	Ordinance

City Council Meeting
October 22, 2024
Agenda Item Transmittal

Agenda Title: Public hearing, discussion, and possible action on an amendment to the City Zoning Map for an approximately two hundred seven-acre tract known as the Falconhead Golf Club.

Commission Action: Discuss and Consider Action

Department: Planning & Development

Staff Contact: Carly Pearson, Planning and Development Director

1. INTRODUCTION/PURPOSE

The City of Bee Cave is proposing to amend the zoning map for an approximately two hundred seven-acre tract known as the Falconhead Golf Club, located at 14310 W. STATE HWY. 71 AND 15201 FALCON HEAD BLVD. The City's official zoning map currently designates the subject parcel as Neighborhood Mixed-Use. The proposal is to amend the zoning to the Golf and Amenity district.

2. DESCRIPTION/ JUSTIFICATION

a) Background

It was brought to the attention of staff that the golf course located within the Falconhead neighborhood subdivision was shown as Neighborhood Mixed-Use zoning district on the City's Official Zoning Map.

b) Issues and Analysis

After investigation of the issue, staff at the time determined that this appeared to be an administrative oversight. The golf course should have been included in the original Planned Development District (PDD). With the adoption by City Council of the newly created Golf and Amenity zoning district, the zoning category of the Falconhead Golf Course can now be appropriately updated and the Official Zoning Map administratively corrected.

3. Financial Budget

N/A




4. Timeline Considerations

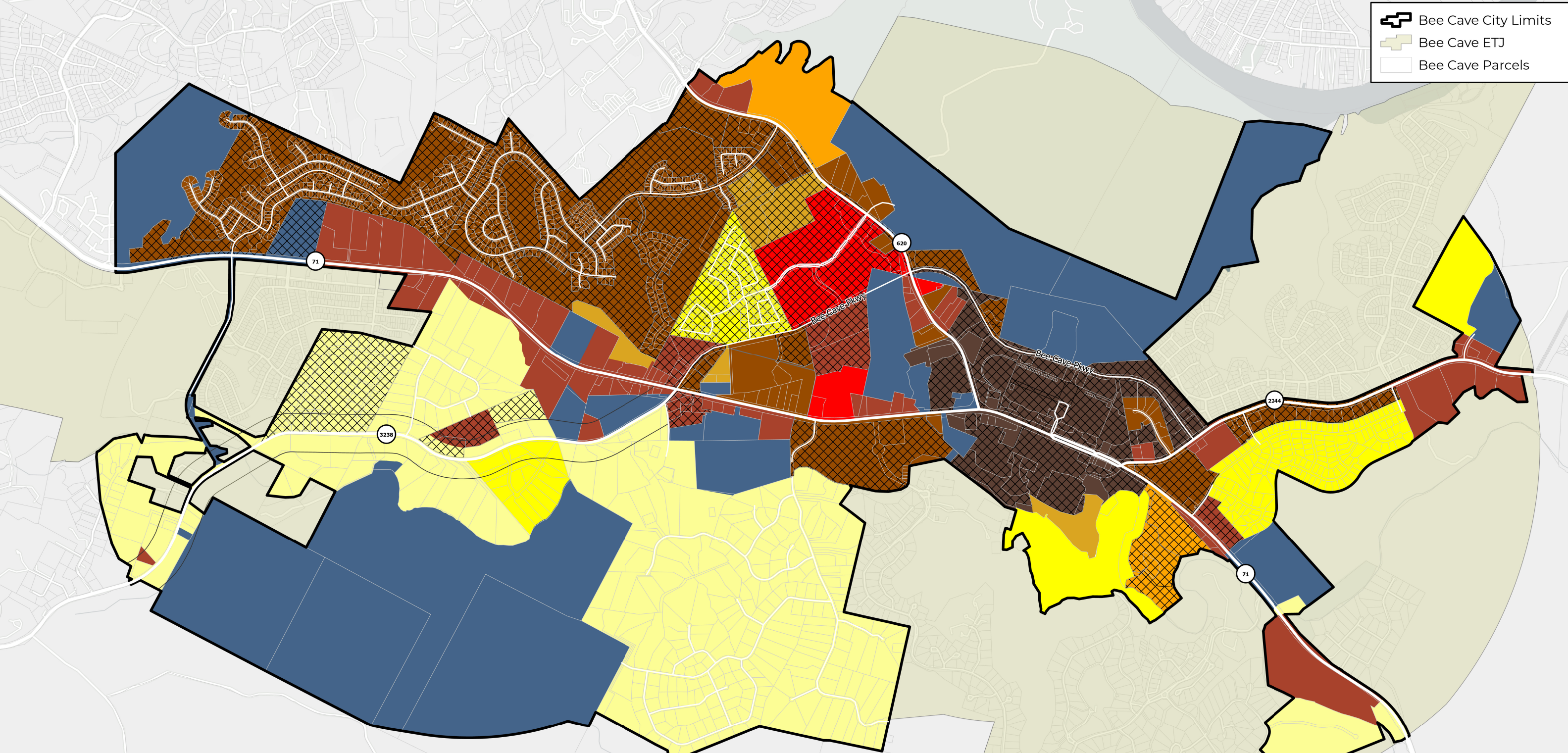
N/A

5. Files













Attached:

- City of Bee Cave Official Zoning Map

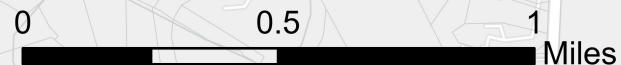
-  Bee Cave City Limits
-  Bee Cave ETJ
-  Bee Cave Parcels




Zoning Legend

-  Ag (Agriculture District)
-  R-1 (Residential Estate District)
-  R-2 (Suburban Residential District)
-  R-4 (Urban Residential District)
-  R-5 (Multifamily Residential District)
-  MU-N (Neighborhood Mixed-Use District)
-  MU-C (Community Mixed-Use District)
-  MU-TC (Town Center Mixed-Use District)
-  CR (Regional Commercial District)
-  P (Public District)
-  Hill Country Overlay District
-  Planned Development District

City of Bee Cave Official Zoning Map



Miles



N



BEE CAVE
TEXAS

Simply Elevated

ORDINANCE NO. 552

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS, AMENDING THE ZONING FOR PROPERTY ADDRESSED AS 14310 W. STATE HWY. 71 AND 15201 FALCON HEAD BLVD., KNOWN LOCALLY AS THE FALCONHEAD GOLF COURSE AND CLUBHOUSE, FROM NEIGHBORHOOD MIXED-USE DISTRICT TO GOLF AND AMENITY DISTRICT; DIRECTING THE AMENDMENT OF THE ZONING MAP; AND PROVIDING FOR FINDINGS OF FACT, A CUMULATIVE CLAUSE, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the City of Bee Cave is a Texas home rule municipality that has codified its regulations and enforcement, including adoption of zoning ordinances and zoning maps; and

WHEREAS, the subject property, addressed as 14310 W. State Hwy. 71 and 15201 Falcon Head Blvd., Bee Cave, Texas 78738, known locally as the Falconhead Golf Course, described in the attached Exhibit “A” (the “*Property*”) is currently zoned Neighborhood Mixed-Use District (MU-N); and

WHEREAS, the City Council desires to change the zoning of the Property from its current zoning to Golf and Amenity District (GA); and

WHEREAS, the Planning and Zoning Commission of the City of Bee Cave, Texas, and the City Council of the City of Bee Cave, Texas, in compliance with the Charter and State law with reference to the UDC, have given requisite notices by mailing, publication and otherwise, and after holding a due hearing and affording a full and fair hearing to all persons interested, the City Council, having received the final report of the Planning and Zoning Commission and having determined that the proposed use will be harmonious with existing buildings, structures, and uses on abutting and nearby properties in the vicinity of the Property in accordance with the current zoning regulations of the City, is of the opinion that the Property should be zoned as set forth herein; and

WHEREAS, the City Council finds and determines that adoption of this Ordinance promotes the health, safety, and welfare of the public; and

WHEREAS, the City Council of the City of Bee Cave finds and determines that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code;

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

**I.
ENACTMENT**

- A. The Property, which is currently zoned Neighborhood Mixed-Use District (MU-N), is hereby zoned Golf and Amenity District (GA); and

- B. The City Manager is hereby authorized and directed to cause the Zoning Map of the City of Bee Cave, Texas to be amended to establish zoning for the Property in conformance with this Ordinance.

**II.
FINDINGS OF FACT**

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

**III.
CUMULATIVE CLAUSE**

This Ordinance is cumulative of all provisions of the City of Bee Cave Code of Ordinances, 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.

**IV.
SEVERABILITY**

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, because 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.

**V.
EFFECTIVE DATE**

This Ordinance is effective as of the date of adoption.

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 Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF BEE CAVE, TEXAS:

Kara King, *Mayor*

ATTEST:

Jo Ann Touchstone, *City Secretary*

APPROVED:

Ryan Henry, *City Attorney*

EXHIBIT A
PROPERTY DESCRIPTION

14310 W. STATE HWY. 71

Being approximately 196.5212 acres out of the J Beck survey No. 91, the I & G R R Company Survey No 56, and the Ben Wightman Survey No. 55, Travis County, Texas, and being a remainder of that property described in that certain Executor's Distribution Deed dated January 31, 2001, recorded as Document No. 2001016510, Official Public Records of Travis County, Texas, such property being assigned Prop. I.D. No. 119150 by the Travis Central Appraisal District.

15201 FALCON HEAD BLVD.

FINAL PLAT OF SPILLMAN RANCH, PHASE 1, LOT 1A, BLOCK A, SECTON 8, BEING A REPLAT OF SPILLMAN RANCH, PHASE 1, SECTION 8, LOT 1, BLOCK A, AN ADDITION TO THE CITY OF BEE CAVE, TEXAS AS RECORDED IN DOCUMENT NO. 20030048 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN INSTRUMENT NO. 201700316, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, such property being assigned Prop. I.D. No. 900101 by the Travis Central Appraisal District.



*City Council Meeting
10/22/2024
Agenda Item Transmittal*

Agenda Item: 10.

Agenda Title: Public hearing, discussion, and possible action on a request for a Specific Use Permit (SUP) to allow a private club – specifically, a retail cigar lounge – within the Town Center Mixed-Use zoning district.

Council Action: Discussion and possible action

Department: Planning and Development

Staff Contact: Carly Pearson, Planning and Development Director

1. INTRODUCTION/PURPOSE

See TL attached

2. DESCRIPTION/JUSTIFICATION

a) Background

See TL attached

b) Issues and Analysis

See TL attached

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
☐ Transmittal Letter	Backup Material
☐ Location Exhibit	Backup Material
☐ Site Layout	Backup Material
☐ Ordinance No. 553	Backup Material
☐ Exhibit A	Backup Material

City Council Meeting
October 22, 2024
Agenda Item Transmittal

Agenda Title: Public hearing, discussion, and possible action on a request for a Specific Use Permit (SUP) to allow a private club – specifically, a retail cigar lounge – within the Town Center Mixed-Use zoning district

Commission Action: Discuss and Consider Action

Department: Planning & Development

Staff Contact: Carly Pearson, Planning and Development Director

1. INTRODUCTION/PURPOSE

Application covers a request for a Specific Use Permit (SUP) to allow a private club – specifically, a retail cigar lounge - within the Town Center Mixed-Use zoning district. The subject parcel is located at 12703 W SH 71.

2. DESCRIPTION/ JUSTIFICATION

a) Background

The applicant is the owner of Cigar Vault, a retail and lounge establishment focusing on the sale of cigars. The establishment may include on site consumption of cigars and may serve limited alcoholic beverages to patrons. Because of these components, this use requires a Specific Use Permit (SUP) as a Private Club under the Bee Cave Unified Development Code (UDC)

b) Issues and Analysis

Zoning: The zoning district of this property is Town Center Mixed Use (MU-TC) and there are no outstanding comments.

Comprehensive Plan: The Future Land Use designation of this property is Urban Corridor. This use is compliant with this designation and the Comprehensive Plan and there are no outstanding comments.

Building: The UDC requires completion of a site inspection by the City of Bee Cave Building Official. The applicant completed the site inspection with the Building Official on August 29, 2024 and there are no outstanding comments.

Parking: The tenant space for this retail use is 2,500 square feet, and thus requires 25 parking spaces (1 per 100 sf per UDC Section 3.3.5). The site provides 18 parking spaces.

This site is “grandfathered” as a legal non-conforming use and is accordance with Unified Development Code § 3.4.11(E)3 (Non-conforming lots, structures, and uses. Non-conforming due to inadequate parking.), and thus is not required to meet current minimum parking standards. As this site is an existing, legal non-conforming site and structure, a fully-engineered site plan is not required under Sections 3.5.4.C.1(vii) and 3.5.6.C.1). It is legally entitled to operate as is and there are no outstanding comments.

Use: The use requires an SUP for a Private Club under UDC Sections 3.3.5 and 3.5.6, due to the addition to retail of on-premise consumption of cigars and/or alcoholic beverages. Per Section 3.4.8(B)(2) Alcoholic Beverage Sales: *“The sale of alcoholic beverages by a dealer whose place of business is within three hundred (300) feet of a Place of Worship, public or private school up to secondary level, Hospital, or Day Care, Child is prohibited, unless a variance is expressly approved by the City Council in accordance with Section 2(v) below.”* See attached proximity map which confirms that the proposed location of this use is not in violation of the referenced sections, and there are no outstanding comments.

3. Financial Budget

N/A

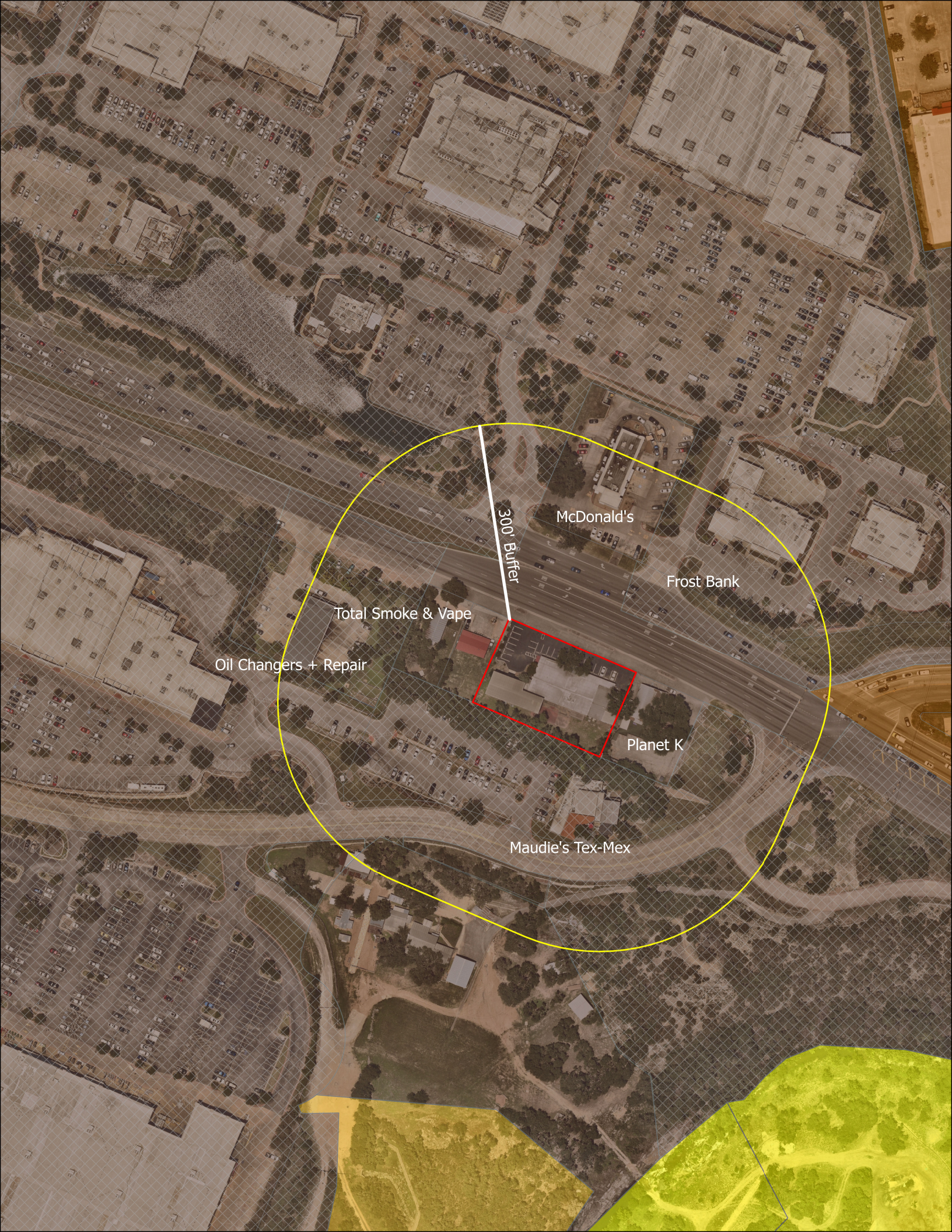
4. Timeline Considerations

N/A

5. Files

Attached:

- Site Plan
- Distance Exhibit



300' Buffer

McDonald's

Frost Bank

Total Smoke & Vape

Oil Changers + Repair

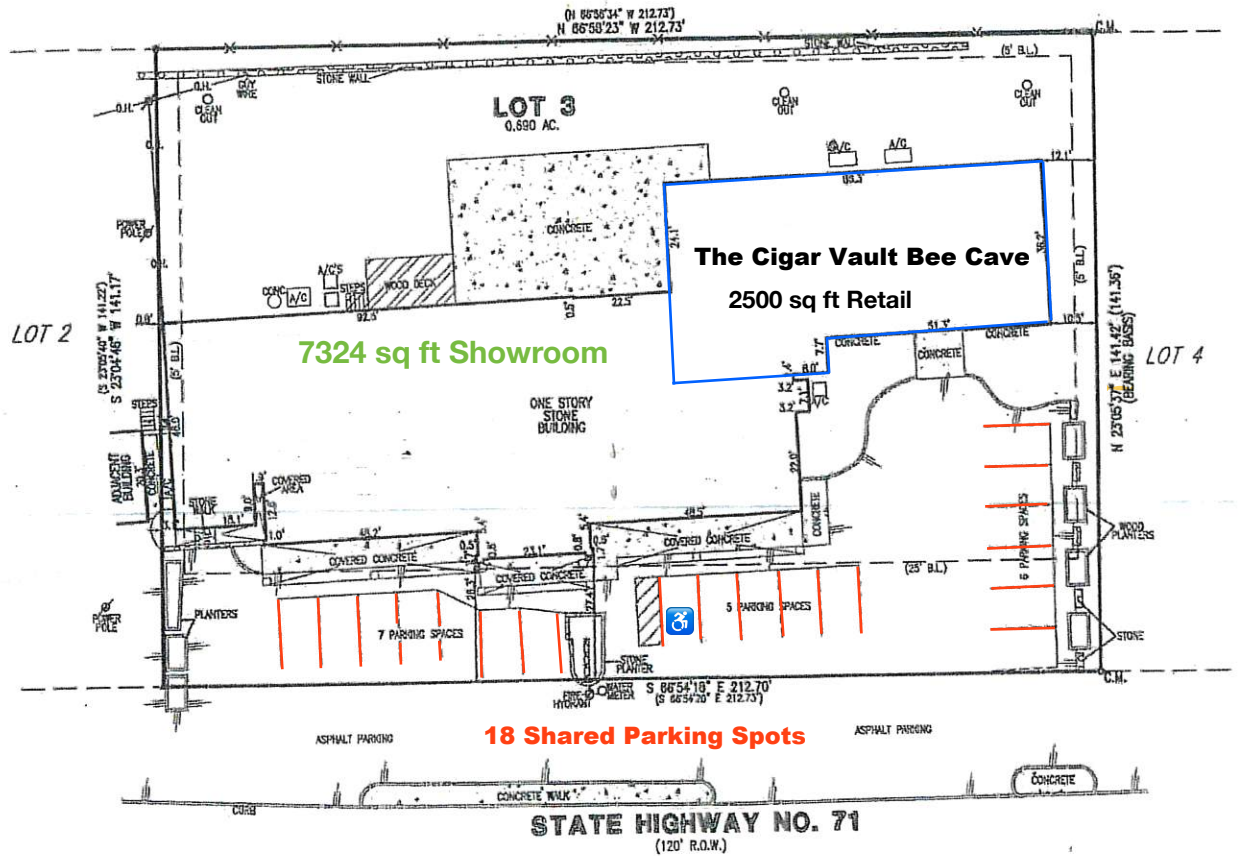
Planet K

Maudie's Tex-Mex

Survey file

12703 HWY 71 | AUSTIN, TX 78738

LOT 4, BLOCK B
FINAL PLAT OF THE SHOPS AT THE GALLERIA
DOC. NO. 201400202



ORDINANCE NO. 553

AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS AMENDING THE ZONING CLASSIFICATION OF REAL PROPERTY LOCATED AT 12703 WEST STATE HIGHWAY 71, BEE CAVE, TEXAS, BY GRANTING A SPECIFIC USE PERMIT FOR ESTABLISHMENT AND OPERATION OF A CIGAR LOUNGE AS A PRIVATE CLUB; ESTABLISHING CONDITIONS FOR SAID PERMIT; DIRECTING THE AMENDMENT OF THE ZONING MAP; AND PROVIDING FOR FINDINGS OF FACT, A CUMULATIVE CLAUSE, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the City of Bee Cave is a Texas home rule municipality that has codified its regulations and enforcement, including adoption of zoning ordinances and zoning maps; and

WHEREAS, the City Council seeks to provide for the orderly development of land and use of property within its corporate limits; and

WHEREAS, the City is empowered by Section 211.005 (Districts) of the Texas Local Government Code to divide the municipality into districts of a number, shape, and size the City Council considers best for carrying out the zoning purposes under state law; and within each district, the City Council may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land; and

WHEREAS, the zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district; and shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality; and

WHEREAS, the City recognizes its responsibility and authority to impose ordinances and controls that are necessary for the government of the City, its interest, welfare, and good order of the City; and

WHEREAS, Section 3.5.6 of the Unified Development Code provides that uses designated as requiring a Specific Use Permit (“**SUP**”) are so classified because the City Council has found that these uses may, because of their nature or intensity, be incompatible with other permitted uses in the same or adjacent district or may be compatible only with mitigation imposed through additional standards and conditions attached to the use; and

WHEREAS, the City has received an application, the relevant portions of which are attached as Exhibit A (the “**Application**”), for a special use permit for the operation of a private club, specifically a cigar lounge, within a 2,500 square foot tenant space (designated as “The Cigar Vault Bee Cave” on page 7 of 10 of Exhibit A) located at 12703 West State Highway 71, Bee Cave, Texas 78738, all as more particularly shown in Exhibit A (the “**Property**”); and

WHEREAS, the Property is currently zoned Town Center Mixed-Use District (MU-TC), which permits a private club under an SUP; and

WHEREAS, the City Council determines that the SUP for the Proposed Use is in conformance with the City of Bee Cave Comprehensive Plan and the UDC; and

WHEREAS, the City Council has received the report of the City of Bee Cave Planning and Zoning Commission regarding the Application; and

WHEREAS, the City Council requires the following conditions and safeguards for the purpose of protecting other properties within the same or abutting zoning district (the “*Conditions*”):

- a) All applicable building, electrical and other permits and Certificate of Occupancy shall be obtained from the City of Bee Cave and all other applicable agencies prior to commencing business operation.
- b) The Specific Use Permit shall not permit the on-premise consumption of any smoking substances or devices other than cigars. In this ordinance “cigar” means “a roll, for smoking, of fermented tobacco that is wrapped in tobacco and from which the main stream of smoke produces an alkaline reaction to litmus paper, and for which an ingredient report has been submitted to the Texas Department of State Health Services, or equivalent agency, as required by Texas law.”
- c) The permit shall comply with all provisions of Section 3.5.6 of the Bee Cave Unified Development Code, including that approval of an SUP does not authorize any use other than the particular use authorized in the Specific Use Permit, and no Specific Use Permit may be enlarged, extended, or relocated unless City Council approves a new Specific Use Permit.
- d) The permit may be revoked pursuant to Section 3.5.6.H. of the UDC.
- e) The Property may only be used for the Proposed Use if substantially configured as shown in Exhibit A.

WHEREAS, the City of Bee Cave Planning and Zoning Commission and the City of Bee Cave City Council, in compliance with the City of Bee Cave Unified Development Code Section 3.1.8; Texas Local Government Code, Chapter 211; and all applicable laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held two public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council is of the opinion and finds that a zoning classification as described herein should be granted and that the Comprehensive Zoning Ordinance and Map should be amended as set forth herein; and

WHEREAS, any protest made against the proposed change of Zoning Classification has been duly considered by the City Council;

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

**I.
ENACTMENT**

- A. The City Council grants the SUP for operating the Proposed Use on the Property, subject to the Conditions.
- B. The City Manager is hereby authorized and directed to cause the Zoning Map of the City of Bee Cave, Texas to be amended to establish zoning for the Property in conformance with this Ordinance.

**II.
FINDINGS OF FACT**

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

**III.
CUMULATIVE CLAUSE**

This Ordinance is cumulative of all provisions of the City of Bee Cave Code of Ordinances, 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.

**IV.
SEVERABILITY**

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, because 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.

**V.
EFFECTIVE DATE**

This Ordinance is effective as of the date of adoption.

DULY PASSED AND APPROVED, on the 22nd day of October, 2024. at a regular meeting of the City Council of the City of Bee Cave, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF BEE CAVE, TEXAS:

Kara King, *Mayor*

ATTEST:

Jo Ann Touchstone, *City Secretary*

APPROVED:

Ryan Henry, *City Attorney*



SPECIFIC USE PERMIT APPLICATION CHECKLIST

APPLICANT AND PROJECT INFO

Applicant Name: Ricca Keepers
 Applicant Phone #: 512-550-6508

Project Name: Cigar Vault
 Project Location: 12703 W State HY 71 Bee Cave Texas 78738

This checklist is intended to provide information and data needed to constitute a complete application. A request for a Specific Use Permit requires review by staff and approval by the Planning and Zoning Commission and City Council. In accordance with UDC Article 3 Zoning Regulations. **Incomplete applications will not be accepted.**

APPLICATION INFORMATION

A Specific Use Permit (SUP) is required for uses listed under the various districts within the Use Chart as “S” or when a particular use is located within 200’ of a residential use (Sec. 3.4.7C). These uses are so classified because the City Council has found that these uses may, because of their nature or intensity, be incompatible with other permitted uses in the same or adjacent district or may be compatible only with mitigation imposed through additional standards and conditions attached to the use.

Note, a Site Plan is a required part of the SUP application unless waived by the Director (Sec. 3.5.6B.5). Therefore, a complete Site Plan must be submitted concurrently. Please refer to the [Site Plan Checklist](#) for additional information. Action on the SUP shall include action on the Site Plan, i.e., if the SUP is approved the Site Plan is considered approved.

MY GOVERNMENT ONLINE SUBMISSION REQUIREMENTS

The City of Bee Cave utilizes a digital review system called MyGovernmentOnline, which requires certain digital submittal standards. For more detailed information and troubleshooting, please review the separate MyGovernmentOnline User Guide available at <http://www.MyGovernmentOnline.org/>

APPLICATION FEES

All application fees shall be paid in full according to the adopted Fee Schedule. The adopted Fee Schedule is available on the City Website: <http://www.BeeCaveTexas.gov/>

SPECIFIC USE PERMIT PROCESS

The process for applying for a specific use permit involves the following steps:

1. **Pre-Application Conference.** Prior to filing a specific use permit application, the owner may consult with the Planning & Development Director and other City staff concerning compliance with all applicable ordinances and regulations.

2. **Submittal of Application and Completeness Check.** The applicant will provide all required documents and fees along with the signed application checklists for a completeness check. Staff will review the documents for completeness of items listed on the checklists and provide feedback about any additional information or documents required from the applicant. Staff will perform a completeness check within 10 business days. If the application is deemed incomplete, the applicant will have 45 calendar days to resubmit the incomplete items, or the application will expire.
3. **Submission.** Upon determination of application completeness, the application will be considered filed with the Planning and Development Department. The application will be distributed to all applicable staff members for review.
4. **Review.** City Staff will review the application for compliance with the UDC and other city requirements and provide comments. The applicant may need to make changes and revisions to the application or supporting materials.
5. **Action.** Specific Use Permits require Public Hearings and City Council approval (Sec 3.5.6 C (iv)).
 - a. The Planning Director will publish public notice and mail individual notices to property owners within 200 feet of the subject property describing the request for a Specific Use Permit according to the same requirements applicable to a zoning change request (Sec. 3.1.8).
 - b. The Planning and Zoning Commission will conduct a Public Hearing, consider the report and recommendation of the Planning Director, and make recommendation to the City Council.
 - c. If the Planning and Zoning Commission recommends denial of a Specific Use Permit, City Council may only approve the application by a three-fourths (3/4) majority.
 - d. The City Council may, after conducting a Public Hearing, vote to approve, approve with conditions, or deny the Specific Use Permit and associated Site Plan.

NOTE: If an Applicant does not withdraw their SUP request *prior to* City Council approval, that shall constitute evidence of the applicant's willingness to accept and agree to be bound by and comply with the ordinance adopting the SUP, and all supporting documentation including business and operational plans, floor plans, required improvements and conditions of approval and the minimum requirements of the zoning district in which the property is located.

6. **Final.** Once City Council approves, approves with conditions, or denies the Specific Use Permit and associated Site Plan, the Planning Director will issue an official Letter of Decision within ten (10) calendar days.

REQUIRED ITEMS FOR SUBMITTAL OF A COMPLETE APPLICATION

The following is grouped into the electronic documents that will be required for submittal. The list below each document heading shows the individual items that are to be combined to form the PDF document. Please review the Detailed Information section of this checklist for help in preparing each of these items. Please flatten all PDF before submittal and rename documents for easy readability.

Application Information

- Deed showing current ownership
- Notarized Verification of Land Ownership Form
- Authorization to apply on behalf of the owner (if applicant different than owner)
- Recent Title Commitment (dated within one year, if the title commitment is older than one year, submit a property report and nothing further certificate)
- Original Tax Certificate issues by Travis Central Appraisal District and showing no taxes due
- Covenants, Deed Restrictions (newly applicable and previously recorded)
- Survey (boundary survey or plat, including metes and bounds, sealed by a licensed surveyor)
- If applicable, consent to the SUP application from each lienholder on the property
- Completed, signed application checklist

Project Summary - A narrative addressing all the following topics:

Compliance with City Ordinances	Is the Site Plan in compliance with all of the provisions of the applicable provisions of the Zoning chapter? If not STOP - a Zoning Variance application will be required for each variance. Variance applications must be processed/determined prior to the SUP application.
Comprehensive Plan	Identify the property's Future Land Use Map Designation. If incompatible with the requested SUP STOP - a Future Land Use Map Amendment application must be submitted/determined prior to the SUP application.
Compatibility with adjacent properties and neighbors	Describe existing adjacent uses on all sides and how the proposed development is compatible with them or proposing to mitigate against any adverse impacts. Review the residential adjacency standards (3.4.7)
Impact on natural resources	Identify all natural resources and distinguishing natural features on site (e.g. water bodies, slopes > than 25%, trees, land forms) and how they will be protected and/or preserved. Identify soil type(s).

SPECIFIC USE PERMIT APPLICATION CHECKLIST

Vehicular and pedestrian circulation systems, including demonstration of pedestrian connectivity within project and to adjacent properties	Describe the proposed pedestrian and vehicular network (e.g. streets, sidewalks, ingress/egress points, trails).
Street Safety and Design	Describe size and configuration of proposed streets and describe conformance with all requirements imposed by emergency service providers as well as the Technical Manual
Off-street parking and loading	Describe design, quantity, and location of off-street parking and loading facilities.
Consistency with the Thoroughfare Plan	Identify any inconsistencies with the City's Thoroughfare Plan.
Landscaping and screening	Describe the proposed landscaping and screening relative to buffering adjacent properties from lights, noise, movement, or activities
Lighting	Describe proposed lighting
Open Space	Describe location, size, accessibility, configuration, and programming of all open space.
Utilities	Describe conceptual plans for water, wastewater, drainage, solid waste disposal, and water quality infrastructure.
Conditional Standards	If the SUP requires conditional standards (Sec. 3.4.8) to be met, describe how the applicant intends to meet the conditional standards

- Site Plan** unless waived by section 3.5.6.B5 (See site plan application for requirements)
- Fees** – SUP & Site Plan Fees shall be due at the time of application

APPLICATIONS WILL NOT BE CONSIDERED COMPLETE WITHOUT THIS SIGNED CHECKLIST CERTIFICATION

CERTIFICATION OF APPLICATION CHECKLIST

I hereby attest that I prepared this application/checklist and that all information shown hereon is correct and complete to the best of my knowledge:



Signature

Michel Issa

Name (printed)

Agent, Member

Title

5-15-24

Date



June 27th,2024

City of Bee Cave
4000 Galleria Parkway
Bee Cave, TX 78738
Subject Property: 12703 W State HY 71 Bee Cave Texas 78738

Dear City of Bee Cave,

The subject property is currently a vacant commercial space zoned Town TC-MC. Cigar Vault is looking to occupy about 2,500 square feet of space that will consist of a Humidor for cigars and a lounge for customers for enjoy the atmosphere. The Humidor will be approximately 1,400 square feet and the lounge area will be 1,600 square feet.

We do comply with the following code and will work to make sure we comply with the following standards in the code; zoning regulations, sign regulations, landscaping and screening, and supplemental development standards. A pre-application meeting was held on June 26, 2024 where staff recommended, we complete the specific use permit. This use would allow a “Private Club” land use which a cigar lounge would fall under. The use will not require any additional parking there is plenty onsite. The zoning is met under the SUP we are currently applying for. The signage will comply with the current sign code.

Under Supplemental Development Standards there will not be any adverse effects pertaining to trees, lighting, and site-visibility. There will be no additional lighting and all outdoor lighting does comply with the dark skies’ ordinance. The IFC code is also being met by providing an entrance and exit that is labeled with signs and access to fire extinguishers.

Cigar Vault is well known in their current locations, East Austin, Buda, and San Marcos as being heavily involved with the community. They become a hub for community leaders and support the cities’ philanthropy efforts in order to improve the city. As an example, of their efforts in Buda/Elgin they helped spearhead the, Paws on the Ground initiative for the local shelter.

The future land use map does label the area as Town Center which means there is no change to the zoning with the requested use. There is compatibility with surrounding neighbors as all contiguous properties are used as commercial space.

Please, do not hesitate to reach out to us with any questions or concerns. Thank you in advance for your time.

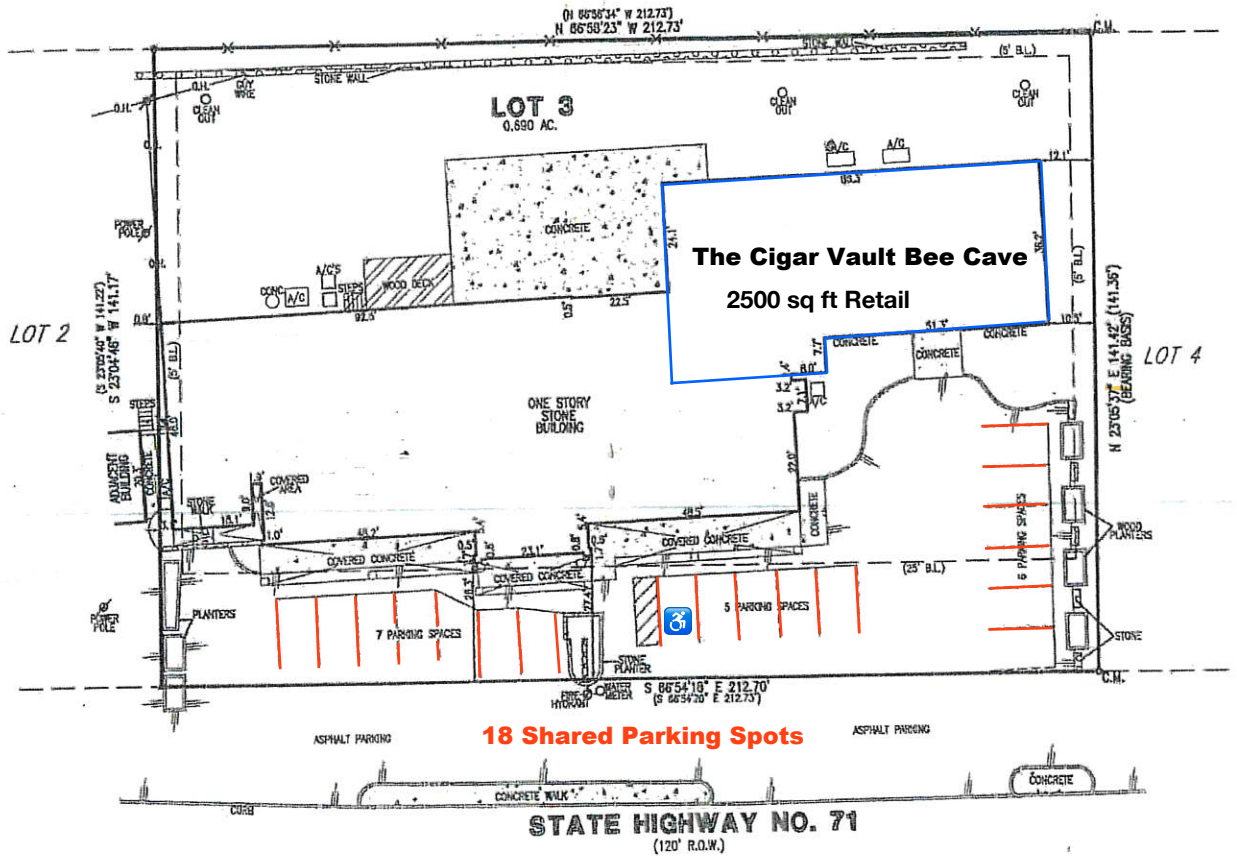
Sincerely,

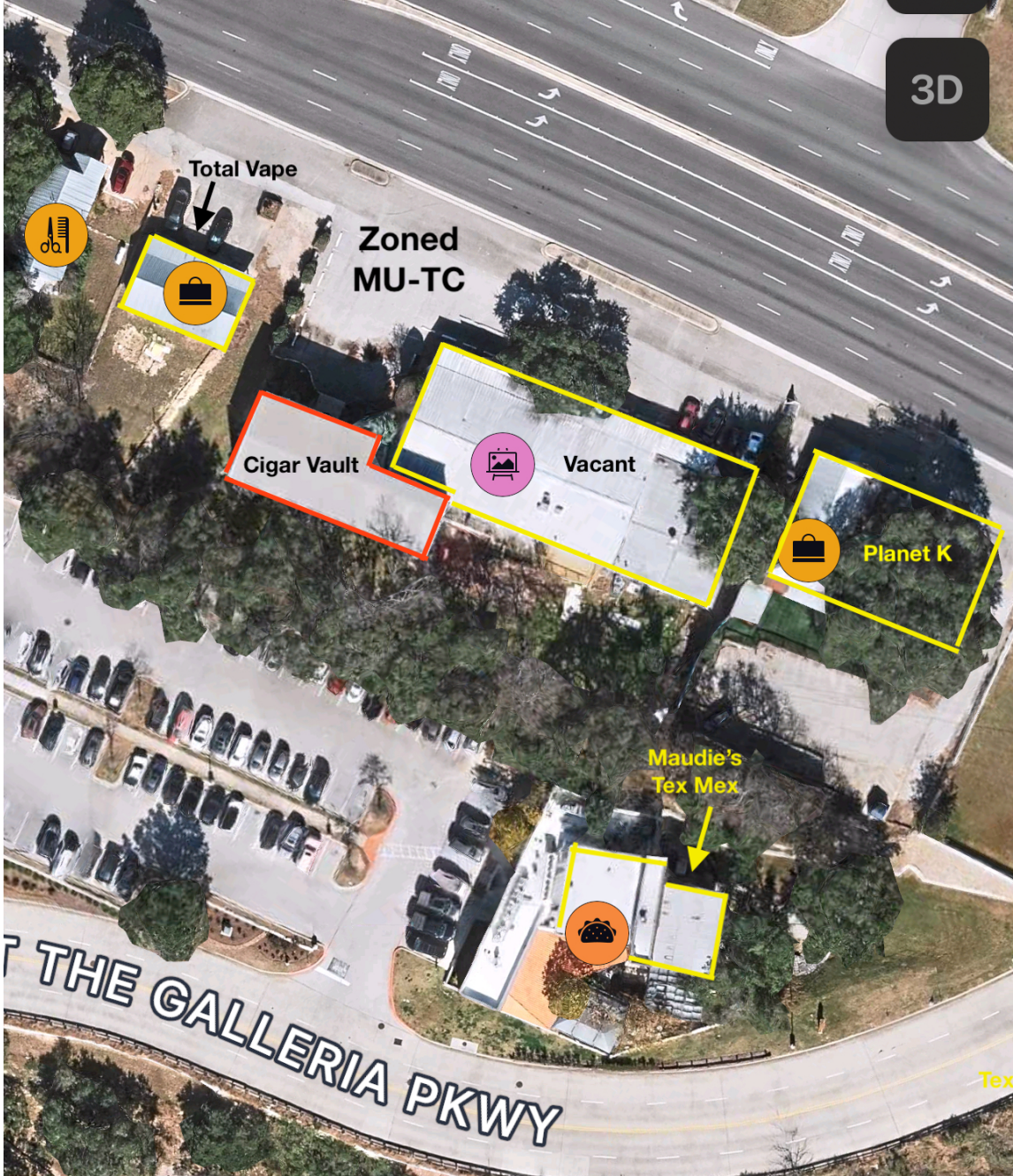
Ricca Keepers

Survey file

12703 HWY 71 | AUSTIN, TX 78738

LOT 4, BLOCK B
FINAL PLAT OF THE SHOPS AT THE GALLERIA
DOC. NO. 201400202





NOTARIZED VERIFICATION OF LAND OWNERSHIP

INSTRUCTIONS: Scan and upload this completed form to your My Government Online application under "Files Upload" tab. Retain the original. It may be requested during staff review. If there are multiple property owners, complete and notarize a form for each.

PROJECT INFORMATION

Project Name Cigar Vault

Project Address/Location 12703 W State HY 71 Bee Cave Texas 78738

Legal Description LOT 3 TRADING POST SUBD

TCAD Property ID 422796

DEED INFORMATION

Deed Number 2019120391

Grantor Name listed on Deed UT LAND COMPANY LTD

By my signature I hereby affirm that I am the property owner of record, or, if the property is owned by an organization or business entity, that authorization has been granted to me to represent the organization or business in this application. I certify that the information contained in the application is complete and accurate. I agree to pay all fees associated with this application and understand that these fees are non-refundable, even in the event of application withdrawal or expiration.

By signing this form, I, as the owner or designated agent of the subject property, authorize the City of Bee Cave to begin processing the application. I acknowledge that submittal of an application does not in any way obligate the City to approve it.

[Signature]
Property Owner Signature

Michel Issa
Property Owner Printed Name

5-15-24
Date

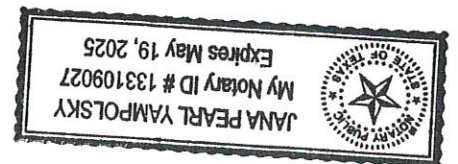
THE STATE OF TEXAS
COUNTY OF Texas

Before me, the undersigned authority, on this day personally appeared Michel Issa, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 15 day of May, 2024 A.D.

[Signature]
Notary Signature

5/19/2025
Notary Expiration





OWNER'S AUTHORIZATION AFFIDAVIT

Property ID: 422796

Property Address: 12703B

Property Description: Tobacco Retail with Lounge Metal Building

Property Owner Name: UT Land Company LTD

Address: 2303 Rio Grande St, Austin, TX 78705

Phone: 512-474-9400

Authorized Agent or Applicant Name: Jeff Beal

Address: 13106 Mansfield Cir

Phone: 512-294-5750

I/We hereby certify that I/we am/are the owners(s) of the above described property. I/We hereby authorize the Agent and/or Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. They shall be the principal contact with the City in processing this application.

Owner's Signature(s)

First Owner's Signature: [Signature] Date: 9-9-24

First Owner's Printed Name: _____

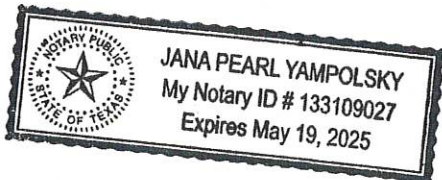
Second Owner's Signature: _____ Date: _____

Second Owner's Printed Name: _____

Sworn and subscribed before me this 9 day of September, 2024.

[Signature]
Notary Public in and for the State of Texas

My commission expires on: 5/19/25





City Council Meeting
10/22/2024
Agenda Item Transmittal

Agenda Item: 11.

Agenda Title: Discuss and consider action on Resolution No. 2024-27 approving the interlocal cooperation agreement for the construction phase of a joint facilities project by and between the City of Bee Cave and Travis County Emergency Services District No. 6.

Council Action: Discuss and Consider Action

Department: Administration

Staff Contact: Julie Oakley, City Manager // Chelsea Maldonado (T & T Heery)

1. INTRODUCTION/PURPOSE

Discuss and consider action on Resolution No. 2024-27 approving the interlocal cooperation agreement for the construction phase of a joint facilities project by and between the City of Bee Cave and Travis County Emergency Services District No. 6.

2. DESCRIPTION/JUSTIFICATION

a) Background

City of Bee Cave Staff, Travis County Emergency Services District No. 6 (Lake Travis Fire Rescue), City of Bee Legal Representative: Ryan Henry & Thomas Gwosdz, and Turner & Townsend Heery have engaged in a cooperative effort to establish a second Interlocal Cooperation Agreement (ILA) with the purpose of establishing and defining roles of each partner for the Construction phase of the joint facility, known as the Public Safety Building Project.

b) Issues and Analysis

The attached Interlocal Cooperation Agreement establishes the roles and responsibilities of each of the partners (City of Bee Cave & Travis County ESD 6), including provisions for conflict resolution. The execution of this ILA will allow the partners to subsequently proceed with the joint construction of the new Public Safety Building that will house both City of Bee Cave Police Department and Lake Travis Fire Rescue.

3. FINANCIAL/BUDGET

Amount Requested

Fund/Account No.

Cert. Obligation
Other source
Addtl tracking info

GO Funds
Grant title

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Discussion and Approval

ATTACHMENTS:

Description	Type
☐ Res. No. 2024-27	Backup Material
☐ Construction ILA	Backup Material

RESOLUTION NO. 2024-27

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BEE CAVE, TEXAS, APPROVING THE INTERLOCAL COOPERATION AGREEMENT FOR THE CONSTRUCTION PHASE OF A JOINT FACILITIES PROJECT BY AND BETWEEN THE CITY OF BEE CAVE AND TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 6, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, The City intends to construct a joint public safety facility with Travis County Emergency Services District No. 6; and

WHEREAS, the City Council finds it is in the best interest of the citizens and public to set forth the terms under which the City and LTFR will cooperate during the construction phase of the project.

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

SECTION 1.

The Council hereby adopts and finds to be true the recitals set out in the preamble to this resolution, and they are incorporated for all purposes giving effect to this resolution.

SECTION 2.

The City Council hereby authorizes and orders the Mayor to execute the Interlocal Cooperation Agreement for the Construction Phase of a Joint Facilities Project By and Between the City of Bee Cave and Travis County Emergency Services District No. 6, in a form to be approved by the City Attorney.

SECTION 3.

This resolution shall become effective immediately upon adoption.

DULLY PASSED AND APPROVED, on the 22nd day of October, 2024 at a regular meeting of the City Council of Bee Cave, Texas, which was held in compliance with the Open Meetings Act, Tex. 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:

Jo Ann Touchstone, *City Secretary*

APPROVED:

Ryan S. Henry, *City Attorney*

**Interlocal Cooperation Agreement
For the Construction Phase of a Joint Facilities Project
By and Between the City of Bee Cave and
Travis County Emergency Services District No. 6**

This Interlocal Cooperation Agreement (the “Construction ILA” or “Agreement”) is entered into by and between the City of Bee Cave, Texas (“City”), and the Travis County Emergency Services District No. 6 (“LTFR”), collectively “the Partners” or “Partner” singularly, each a political subdivision of the State of Texas, each engaged in the provision of governmental services for the benefit of Travis County citizens, and each acting by and through its duly elected/appointed officials, under the terms, authority, and provision of Chapter 791 of the Government Code of the State of Texas, which authorizes such agreements.

Recitals

Whereas the Partners have existing separate facilities for essential public services for their respective entities but due to growth in the local area and respective communities, those facilities have been outgrown; and

Whereas the Partners desire to share in the construction of a joint facility for the provision of fire services, police services, and other incidental government services to jointly serve the needs of their respective communities (hereinafter defined as the “Project”) and

Whereas the Texas Interlocal Cooperation Act, codified at Chapter 791 of the Texas Government Code, authorizes the Parties to this Agreement who are governmental entities to contract with one another to perform governmental functions and services; and

Whereas this Agreement concerns the performance of governmental functions and services;

Whereas the Partners are parties to that certain Interlocal Cooperation Agreement for the Preliminary Design and Planning Phase of the Joint Facilities Project dated September 12, 2023.

Agreement

Now Therefore, in consideration of the mutual representations, warranties, covenants and promises herein contained, the parties hereto agree as follows:

**Article 1
Interlocal Cooperation**

1.1 **Purpose.** The purposes of this ILA are to establish and define the roles of each Partner in relation to the construction phase of the Project; to provide for the Partners’ expectations regarding the construction and operation of the Project, the full terms of which shall be provided in separate agreements between the Partners; and to provide for disposition of the Property in the event of termination of this Agreement.

1.2 **Authority to Enter into this Agreement.** This Agreement is entered into pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code. Each Partner represents that they have the legal authority to enter into this Agreement, and that their respective governing bodies have duly approved this Agreement pursuant to law, including but not limited to, the Texas Open Meetings Act,

Chapter 551, Texas Government Code, and that that each Partner paying for the performance of governmental functions or services hereunder shall make those payments from current revenues available to the paying Partner.

Article 2 Construction and Definitions

2.1 **Construction of this Agreement.** The Partners hereto are parties to that certain Interlocal Agreement Cooperation Agreement for the Preliminary Design and Planning Phase of the Joint Facilities Project dated September 12, 2023 (the “Design ILA”). The Design ILA contemplates that the Partners thereto shall enter into this Agreement for the construction phase of the Project. The Partners intend that this Agreement shall be construed as complementary to the Design ILA, and that any ambiguities contained herein, or existing between this Agreement and the Design ILA should be resolved to give effect to both agreements and to further the joint intent of constructing the Project for the benefit of the Partners’ respective communities.

2.2 **Definitions.** Capitalized terms used herein shall carry the definitions set forth in the Design ILA unless otherwise defined herein. As used herein, the following capitalized terms shall carry the following meanings:

- a *“Agreement”* or *“Construction ILA”* shall mean this Interlocal Cooperation Agreement for the Construction Phase of a Joint Facilities Project by and Between the City of Bee Cave and Travis County Emergency Services District No. 6.
- b *“CMAR”* shall mean the Construction Manager, Rogers-O’Brien Construction.
- c *“Days”* shall mean calendar days, unless otherwise noted herein.
- d *“Individual Costs”* shall have the meaning established in Paragraph 3.2, below.
- e *“SOV”* shall have the meaning established in Paragraph 3.2, below.
- f *“Shared Costs”* shall have the meaning established in Paragraph 3.2, below.

Article 3 Construction Phase Cost Sharing

3.1 **Proportional Cost Sharing.** The City shall require the construction manager, Rogers-O’Brien Construction (the “CMAR”), to divide costs between the City and LTFR according to each party’s Proportional Share as further described in Paragraph 3.2, below, and to send to the City and LTFR invoices showing the proportional share of each of the City and LTFR. LTFR shall pay the City an amount equal to fifty percent (50%) of invoiced amounts for professional services performed by the Consultants for the construction phase of the Project occurring after full execution of this Agreement within 30 days after the City provides a copy of an invoice presented by a Consultant for the work. After the date that the Partners agree on an SOV, any additional fees or costs payable to a Consultant other than the CMAR for architecture, engineering or other design professional 3rd-party services in connection with a change to a part of the building that would be identified as an Additional Service as that term is defined in the respective consultant contract agreement, the cost of construction of which is a Partner’s sole expense, will be borne entirely by that Partner.

3.2 **Calculating the Proportional Share.** The CMAR shall prepare an itemized list of each activity required to complete the scope of work on the Project, along with the corresponding costs or values (the “Schedule of Values” or the “SOV”). The SOV shall be divided to separately show the improvements or parts of improvements the costs of which shall be borne separately by each of the City and LTFR (the

“Individual Costs”) and the improvements or parts of improvements the costs of which shall be borne collectively by the City and LTFR. (the “Shared Costs”). The City and LTFR shall each pay one hundred percent (100%) of their respective Individual Costs and fifty percent (50%) of each Shared Cost. Prior to the CMAR developing the Guaranteed Maximum Price (the “GMP), the City and LTFR shall approve the SOV in writing. Upon such written approval, the SOV shall be attached hereto as Exhibit “A,” and incorporated herein for all purposes. Upon its written approval, the GMP shall be attached hereto as Exhibit “B” and incorporated herein for all purposes.

3.3 *[Intentionally blank]*

3.4 **Shared Bidding.** The Partners may cooperate in fairly apportioning costs of aspects of improvements to the Property that are the Partners’ respective separate costs, as necessary to avoid separate bidding and increased price of the two separate aspects of improvements. The Partners will in good faith consider coordination of selection of items separately paid by the Partners in order to achieve any resulting savings.

Article 4 Communication

4.1 **Communication.** As previously agreed by the Partners in the Design ILA, the City shall include LTFR in all communications with the Consultants that relate to or affect the design and construction of the Project that may affect the common areas of the Project and LTFR’s areas of the Project. Except as otherwise expressly permitted by the ODR, communications by and with the Consultants shall be through the City.

Article 5 Dispute Resolution

5.1 **Dispute Resolution.** While it is understood that the Partners shall strive in good faith to work collaboratively to fulfill the purpose of the ILA, each Partner recognizes that legitimate conflicts may arise regarding the construction of the Project. Should a conflict related to construction arise, the Partners agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this Agreement, the Partners will first attempt to resolve the dispute by taking the following steps:

(a) A written notice substantially describing the nature of the dispute shall be delivered by the dissatisfied Partner to the other Partner, which notice shall request a written response to be delivered to the dissatisfied Partner not less than 5 days after receipt of the notice of dispute.

(b) If the response does not reasonably resolve the dispute, in the opinion of the dissatisfied Partner, the dissatisfied Partner shall give notice to that effect to the other Partner whereupon each Partner shall appoint a person having authority over the activities of such Partner, and such appointed person shall promptly meet, in person, in an effort to resolve the dispute, which meeting and deadline for resolution shall occur not later than ten (10) days after notice is given pursuant to this subdivision (b).

(c) If those appointed persons cannot or do not resolve the dispute, then the Partners shall each appoint a person from the highest tier of managerial responsibility, who shall then promptly meet in person, not later than ten (10) after the deadline for meeting and resolution provided in subdivision (b), in an effort to resolve the dispute.

(d) Should these efforts fail to timely resolve the dispute, in the opinion of the dissatisfied Partner, the Partners shall mediate the dispute through the use of a mutually selected

independent mediator, which mediation shall occur on or before 30 days after the failure of resolution at the step provided in subdivision (c).

(e) Should these efforts fail to timely resolve the dispute, in the opinion of the dissatisfied Partner, the Partners shall submit to binding arbitration to be settled by one or more arbitrators selected from a panel comprised of three potential arbitrators identified by the City and three potential arbitrators identified by LTFR. In the absence of an agreement of the parties as to the arbitrator(s) to be selected to hear and decide the dispute, each side may strike two from the combined list of six arbitrators, and the remaining shall serve as arbitrators. The arbitration shall be conducted pursuant to the Construction Rules and Mediation Procedures of the American Arbitration Association then in effect, with Texas law to apply. The parties acknowledge that it is impossible to foresee all potential causes of disagreement or to provide for the relative rights of the parties in every possible contingency. The City and LTFR agree that if the written agreements between the City and LTFR do not provide a clear basis for resolution of a dispute, the arbitrator(s) shall be authorized to decide the dispute and provide a remedy that is fair and equitable in the circumstances. In determining fairness and equity as to any future dispute the following shall be considered by the arbitrator(s): (i) each party is to pay the full cost of improvements that will only be used by or benefit such party; (ii) the parties are to equally share in the cost of facilities that will be equally shared or for which the parties equally benefit; (iii) except as to agreed common exterior look and style, each of the parties has the right to determine the aspects of improvements that will be used exclusively by that party; (iv) each of the parties desires the timely completion of the Project and the avoidance of a deadlock or dispute that impedes completion or that would result in wasted expense on planning, design, or construction then completed; (v) the parties intend for shared site work improvements to be reasonably economical and efficient and consonant with the design and purpose of the shared public safety building; (vi) although LTFR is not a party to the agreement between the City and the CMAR for construction of the Project, LTFR should be treated fairly and equitably in determining the responsibility, shared or otherwise, for payment of the cost of changes in the work of the Project following agreement on the SOV; (vii) nothing in this agreement shall be deemed to waive immunities enjoyed by either Partner by their nature as governmental entities; and (viii) any remedy provided through arbitration shall not include indirect, consequential, incidental, exemplary, or punitive damages.

5.2 **Deadlines.** All deadlines with regard to steps in the process of resolution may be extended by agreement of the Partners.

Article 6

Miscellaneous Provisions

6.1 **Nondiscrimination.** There shall be no discrimination of any person or group of persons on account of race, color, creed, religion, sex, marital status, sexual orientation, age, handicap, ancestry, or national origin in the administration of this Project.

6.2 **Severability.** In the event any provision of this Agreement shall be found to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the validity, legality, and enforceability of the remainder of this Agreement.

6.3 **Entire Agreement.** This Agreement constitutes the entire Agreement between the Partners on the subject matter hereof and supersedes any and all prior agreements, arrangements, and understanding, oral or written, between the Partners relating to this Agreement.

6.4 **Amendments.** This Agreement may be amended at any time only in writing by the Partners with mutual consent and authorization of their respective entities.

6.5 **Recitals.** The recitals hereto are incorporated herein for all purposes.

Article 7
Term and Termination

7.1 **Term.** This Agreement will begin effective the date of final execution, below, and will continue through the earlier of the completion of construction of the Project, or one year after the date this Agreement is earlier terminated pursuant to this Article 7 of this Agreement.

7.2 **Termination.** Either Partner may terminate this ILA in the event of a material breach of an obligation by the other Partner that is not timely cured. If a Partner intends to terminate this Agreement as a result of a material breach, the Partner must provide to the breaching Partner a written notice of intent to terminate, identifying the breach or default and providing thirty (30) days for the breaching Partner to cure the breach on or before the expiration of such 30 days by performing the defaulted obligation or, if such breach cannot reasonably be cured within 30 days, responding with an acceptable plan to cure the breach, which plan shall not unreasonably be rejected.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Partners hereto certify by their signatures below that they are duly authorized to sign this Agreement and that City and LTFR affirm that they have used their best efforts to comply with Federal procurement regulations with respect to its procurement and performance requirements.

PASSED AND APPROVED by the CITY OF BEE CAVE, TEXAS on the _____ day of _____ 2024.

ATTEST:

CITY OF BEE CAVE, TEXAS:

JO ANN TOUCHSTONE
City Secretary

KARA KING
Mayor

PASSED AND APPROVED by TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 6 on the _____ day of _____ 2024.

ATTEST:

TRAVIS COUNTY ESD NO. 6:

Jessica Clinton
Secretary

Shiloh Newman
President



City Council Meeting
10/22/2024
Agenda Item Transmittal

Agenda Item: 12.

Agenda Title: Discuss and consider action on Resolution No. 2024-28 adopting a prohibited technologies security policy.

Council Action: Discuss and Consider Action

Department: Administration

Staff Contact: Crystal Cotti, Director of Communications

1. INTRODUCTION/PURPOSE

On September 1, 2023, The Texas Legislature enacted SB 1893 which prohibits the use of TikTok and certain other applications covered under Chapter 620, on devices owned or leased by governmental entities. SB 1893 also requires cities to approve a policy that prohibits the use of TikTok on city-owned devices.

2. DESCRIPTION/JUSTIFICATION

a) Background

According to SB 1893, cities must pass a policy that prohibits TikTok and other covered applications by November 20, 2024.

b) Issues and Analysis

The attached Prohibited Technologies Security Policy can be amended in the future to add any additional technologies that are added to the state's list of prohibited technologies.

3. FINANCIAL/BUDGET

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

4. TIMELINE CONSIDERATIONS

SB 1893 states cities must adopt a policy by November 20, 2024.

5. RECOMMENDATION

ATTACHMENTS:

Description	Type
☐ Prohibited Technologies Security Resolution	Cover Memo
☐ Prohibited Technologies Security Policy	Cover Memo

RESOLUTION NO. 2024-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS REGARDING COUNCIL CONSIDERATION ON PROHIBITED TECHNOLOGIES SECURITY POLICY

WHEREAS, the City of Bee Cave finds it necessary to implement a prohibited technologies security policy due to S.B. 1893 that was passed by the Texas State Legislature on September 1, 2023;

WHEREAS, the City of Bee Cave would like the Council’s consideration of the Prohibited Technologies Security Policy which may seek to prohibit the use of TikTok, and certain applications covered under Chapter 620 on devices owned or leased by governmental entities and requiring the removal of covered applications from those devices;

WHEREAS, the City of Bee Cave’s Prohibited Technologies Security Policy would apply to all elected officials, full and part time employees, and volunteers of the City, and such individuals are subject to follow the policy for specified software and hardware products with security or similar concerns to this policy;

WHEREAS, the City of Bee Cave believes it is in the best interest of the citizens and is required to comply with state law, to adopt the attached prohibited technologies security policy;

WHEREAS, the Bee Cave City Council finds and determines that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

NOW THEREFORE, BE IT RESOLVED AND CONSIDERED 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 of the City of Bee Cave hereby adopts the Prohibited Technologies Security Policy which is attached to this resolution as Exhibit A. Such policy shall be effective immediately upon passage of this resolution.
3. This resolution is effective as of the date of adoption.

DULY PASSED AND APPROVED, on the 22nd day of October, 2024, at a meeting of the City Council of the City of Bee Cave, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF BEE CAVE, TEXAS

Kara King, *Mayor*

ATTEST:

Jo Ann Touchstone, *City Secretary*

APPROVED:

Ryan Henry, *City Attorney*



City of Bee Cave

Prohibited Technologies Security Policy

Date: October 2024

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- Addendum A5**

1.0 INTRODUCTION

1.1 PURPOSE

On September 1, 2023, the Legislature of the State of Texas enacted SB 1893 prohibiting the use of TikTok and certain applications covered under Chapter 620 on devices owned or leased by governmental entities and requiring the removal of covered applications from those devices.

In addition to TikTok, The City of Bee Cave may add other software and hardware products with security or similar concerns to this policy and may amend this policy based on the Texas Department of Information Resources (DIR) prohibited technology list. Throughout this Policy, "Prohibited Technologies" shall refer to TikTok and any additional hardware or software products added to this policy.

1.2 SCOPE

This policy applies to all City of Bee Cave's full-time employees, part-time employees, volunteers and elected officials. All City of Bee Cave employees and volunteers are responsible for complying with the terms and conditions of this policy.

2.0 POLICY

2.1 CITY-OWNED DEVICES

Except where approved exceptions apply, the use or download of prohibited applications or websites is prohibited on all city-owned devices, including cell phones, tablets, desktop and laptop computers, and other internet capable devices.

The City of Bee Cave will identify, track, and control city-owned devices to prohibit the installation of or access to all prohibited applications. This includes the various prohibited applications for mobile, desktop, or other internet capable devices.

The City of Bee Cave adopts the security controls listed below. All devices shall:

- a. Restrict access to "app stores" or non-authorized software repositories to prevent the installation of unauthorized applications.
- b. Maintain the ability to remotely wipe non-compliant or compromised mobile devices.
- c. Maintain the ability to remotely uninstall un-authorized software from mobile devices.

- d. Deploy secure baseline configurations, for mobile devices, as determined by The City of Bee Cave.

No employee, elected official or other volunteer shall interfere with or circumvent these controls.

2.2 ONGOING AND EMERGING TECHNOLOGY THREATS

To provide protection against ongoing and emerging technological threats to the City's sensitive information and critical infrastructure, the City will periodically receive updates from DIR which regularly monitors and evaluates additional technologies posing concerns for inclusion in this policy.

It is improper for any City employee, official, or volunteer to install or allow to exist on any device subject to this policy, any technology listed in the prohibited technologies list, found at Addendum A.

The City of Bee Cave may prohibit technology threats in addition to those identified by DIR.

2.3 POLICY COMPLIANCE

An employee or volunteer found to have violated this policy may be subject to disciplinary action, including termination of employment or removal from their position or office. An intentional violation of this policy shall constitute official misconduct in office.

2.4 EXCEPTIONS

TikTok may be installed and used to the extent necessary for providing law enforcement or developing or implementing information security measures and used in compliance with documented measures to mitigate risks to the security of The City of Bee Cave's information.

PASSED, APPROVED AND ADOPTED by CITY COUNCIL this ____ Day of October 2024.

Julie Oakley, City Manager

ADDENDUM A

Prohibited Software/Applications/Developers

- TikTok
- Kaspersky
- ByteDance Ltd.
- Alipay
- CamScanner
- QQ Wallet
- SHAREit
- WMate
- WeChat
- WeChat Pay
- WPS Office
- Any subsidiary or affiliate of an entity listed above.

Prohibited Hardware/Equipment/Manufacturers

- Huawei Technologies Company
- ZTE Corporation
- Hangzhou Hikvision Digital Technology Company
- Dahua Technology Company
- SZ DJI Technology Company
- Hytera Communications Corporation
- Any subsidiary or affiliate of an entity listed above.



*City Council Meeting
10/22/2024
Agenda Item Transmittal*

Agenda Item: 13.

Agenda Title: Discuss and consider action regarding polling council for meeting attendance.

Council Action: Discuss

Department: Administration

Staff Contact: Councilmember Cobb

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