

ORDINANCE NO. 575

**AN ORDINANCE OF THE CITY OF BEE CAVE, TEXAS
ORDERING A SPECIAL ELECTION IN THE CITY OF BEE CAVE,
TEXAS, ON NOVEMBER 4, 2025, TO SUBMIT A PROPOSITION
FOR A PROPOSED PROJECT FOR A PUBLIC LIBRARY
AFFECTING REAL PROPERTY BELONGING TO THE CITY,
BEING 21.067 ACRES BEARING PROPERTY ID NO. 873771;
PROVIDING FOR THE CONDUCT AND GIVING NOTICE OF
SAID ELECTION; PROVIDING FOR SEVERABILITY AND
EFFECTIVE DATE**

WHEREAS, the City of Bee Cave desires to construct a public library on the property commonly known as the Skaggs property; and

WHEREAS, recently adopted Section 10.1 of the City Charter for the City of Bee Cave states that the City shall take no action or pass any ordinance addressing subdivision, significant physical change or alteration, sale, purchase, donation, exchange, or leasing of City property unless such action or ordinance is approved by the qualified voters of the City of Bee Cave, subject to certain exceptions; and

WHEREAS, while the City Council believes that legal questions exist as to the applicability of Section 10.1 of the City Charter, the City Council desires to submit the project to the voters out of an abundance of caution and to avoid any delays in the construction of the public library; and

WHEREAS, the City Council desires to call a special election for the purpose of seeking voter input on the approving or denying of the construction of said facility; and

WHEREAS, the first authorized uniform election date is November 4, 2025, being the first Tuesday in November in an odd-numbered year pursuant to Section 41.001(a)(1), Texas Elections Code;

WHEREAS, Texas Elections Code § 3.005(c) requires an election held on a uniform election date to be ordered not later than the 62nd day before the election date;

WHEREAS, the 78th day before the uniform election date of November 4, 2025, is August 18, 2025;

WHEREAS, the City Council has made provision for the special election to be conducted jointly with other political subdivisions in the area under the authority of Texas Election Code, Chapter 271;

WHEREAS, the City has entered, or will enter, into an agreement with Travis County to conduct the City's special election pursuant to Chapter 31 of the Texas Election Code and Chapter 791 of the Texas Government Code (the "*Election Agreement*"), jointly

with other political subdivisions that hold elections on the same day in all or part of the same territory of the City, as authorized in Chapter 271, Texas Election Code; 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:

Section 1: Date of Election. A Special Election (“Election” or “Special Election”) shall be held in the City of Bee Cave (“City”) on the 4th day of November, 2025, which day is not less than Sixty-two (62) days from the date of the adoption hereof. At such Election the following measure shall be submitted:

PROPOSITION A

“Shall the City be allowed to construct a new public library located generally on the 21.067 acres identified by Travis Central Appraisal District as Property ID Number 873771, known locally as the Skaggs property, for the purpose of providing library services to the public?” See details at www.beecavetexas.gov

Section 2: Joint Election Agreement, Election Services Agreement, Use of Electronic Voting System and Authorization of Ballot. The Election shall be held as a joint election pursuant to Texas Election Code Chapter 271 and any elections which may be held on the election day by other political subdivisions (hereinafter “Participating Entities”) under a Joint Election Agreement that will be submitted to the City Council for approval at a subsequent meeting.

Pursuant to Chapter 31 of the Texas Election Code, the City Council orders that the Election be conducted pursuant to an Election Services Agreement with Travis County Clerk which has been provided to the City Council for approval, and said agreement is incorporated herein as if fully set out.

An electronic voting system, as defined and described in Title 8 of the Texas Election Code, shall be utilized for the Election and for early voting, by personal appearance and paper ballots for early voting mail.

A ballot containing the measure in this Special Election shall be prepared in accordance with the Texas Election Code so as to permit qualified electors of the City to vote “FOR” or “AGAINST” the aforesaid measure which shall appear on the ballot substantially as follows:

PROPOSITION A

“SHALL THE CITY BE ALLOWED TO CONSTRUCT A
NEW PUBLIC LIBRARY LOCATED GENERALLY ON
THE 21.067 ACRES, IDENTIFIED BY TRAVIS

CENTRAL APPRAISAL DISTRICT AS PROPERTY ID
NUMBER 873771, KNOWN LOCALLY AS THE
SKAGGS PROPERTY, FOR THE PURPOSE OF
PROVIDING LIBRARY SERVICES TO THE PUBLIC?"

FOR: _____ AGAINST: _____

Section 3: Election Day Precincts, Polling Places, Precinct Officials and Voting Times. The election precincts for this election shall be the Travis County election precincts wholly within the territorial limits of the City and the polling place established for each of these precincts shall serve as common polling places for the joint elections of the Participating Entities and they may be combined for the convenience of the voters. On election day, the polls shall be open from 7:00 AM to 7:00 PM. The returns for precincts in Travis County will be provided by precinct for the general election and the Travis County Administrator shall tabulate and provide the election returns for the general election.

Section 4: Conduct of Election. The Travis County Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the election agreement with the City; and the official ballots, together with such other election materials as are required by the Texas Election Code, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

Section 5: Early Voting Polling Places, Times and Dates, Mail in Voting Procedures. Early voting for the election shall be conducted jointly with the participating entities in the joint election. Early voting by personal appearance for the election shall be conducted jointly at the locations and on the dates and times specified. These early voting polling places shall be common polling places utilized by the City, the participating entities and Travis County, Texas. The main early voting polling place will be Travis County Airport Office, 5501 Airport Boulevard, Austin, Texas 78751. Early voting by personal appearance begins October 20, 2025, and ends on October 31, 2025.

The regular early voting clerk for voting by mail in the Election shall be the Bee Cave City Secretary. Applications from voters to vote early by mail in the Election shall be addressed to the early voting clerk, 4000 Galleria Parkway, Bee Cave, Texas 78738. The Regular early voting clerk for the City shall collect all applications for ballots received by the City at the above address during the period allowed by the Texas Election Code and shall deliver all such applications to the joint early voting clerk as directed under the Joint Election Agreement.

Section 6: Qualified Voters and Conduct of Election. All resident qualified electors of the City shall be permitted to vote at said election, and on the day of the election, such electors shall vote at the polling place designated by Travis County. This election shall be held and conducted in accordance with the Texas Election Code, and as may be required by law, all election materials shall be printed in both English and Spanish.

Section 7: Notices. Notice of the election in English and Spanish, and as otherwise provided by law, shall be posted not later than the 21st day before election day, on the bulletin board used for posting notices of the meetings of the city council of the City of Bee Cave and shall remain posted continuously through election day. Notice of the election in English and Spanish shall also be given by publishing the notice at least once, not earlier than the 30th day or later than the 10th day before election day in the official newspaper of the City.

Section 8: Election Materials and Supplies. The City Secretary is authorized to give or cause to be given notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the Texas Election Code; provided that, pursuant to the election agreement between the City and Travis County, the Travis County Elections Officer shall have the duty and be responsible for organizing and conducting the election in compliance with the Texas Election Code; and for providing all services specified to be provided in the Election Agreement. The Travis County Elections Officer shall give the notices required by the Texas Election Code and the election agreement to be given for the election.

Section 9: Election Judges and Clerks. The presiding judges, alternate presiding judges and clerks for the election precincts, the Presiding Judge of the Early Voting Ballot Board and the Central Counting Station Manager and Tabulation Supervisor shall be selected and appointed by Travis County and its appointees in compliance with the requirements of state law.

Section 10: Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.


Section 11: Proper Notice and Open Meeting. The City Council officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance is adopted was posted for at seventy-two hours preceding the scheduled time of the meeting and at the location required by the open meetings law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof was discussed, considered and formally acted upon.

Section 12: Authorization to Execute. The Mayor is authorized to execute and the City Secretary is authorized to attest this ordinance on behalf of the city council; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the election.


Section 13: Effective Date. This Ordinance is effective immediately upon its passage and approval and publication as may be required by governing law.

PASSED AND ADOPTED this 12th day of August, 2025.

City of Bee Cave, Texas


Kara King, Mayor
City of Bee Cave, Texas

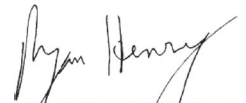
ATTEST:


Jo Ann Touchstone, City Secretary
City of Bee Cave, Texas

[SEAL]



APPROVED AS TO FORM:


Ryan S. Henry, City Attorney

ORDINANCE NO. 576

**AN ORDINANCE CALLING BOND ELECTION FOR NOVEMBER 4, 2025
TO BE HELD WITHIN THE CITY OF BEE CAVE, TEXAS; MAKING
PROVISIONS FOR THE CONDUCT AND THE GIVING OF NOTICE OF
THE ELECTION; AND CONTAINING OTHER PROVISIONS RELATED
THERETO**

STATE OF TEXAS §
COUNTY OF TRAVIS §
CITY OF BEE CAVE §

WHEREAS, pursuant to Chapters 1251 and 1331, Texas Government Code, as amended, the Texas Election Code, as amended, and other related statutes, the City Council (the "City Council") of the City of Bee Cave, Texas (the "City") is authorized and has determined to call an election to be held in the City on November 4, 2025, to submit a proposition to voters in the City to determine whether the City Council shall be authorized to issue bonds of the City in the amount of \$19,980,000 for the purpose of designing, constructing, improving, renovating, furnishing and equipping a new City library, related site development, including water, wastewater, drainage, streets and sidewalks, and related parking infrastructure (the "City Library Facility"); and

WHEREAS, pursuant to Section 10.1.02 of the City of Bee Cave City Charter (the "Charter") the City may not take action or pass any ordinance addressing subdivision, significant physical change or alteration, sale, purchase, donation, exchange, or leasing of City property, unless such action or ordinance is approved by the qualified voters of the City; and

WHEREAS, the City proposes to construct the City Library Facility on City property located generally on the 21.067 acres identified by Travis Central Appraisal District as Property ID Number 873771, known locally as the Skaggs property (the "City Property"); and

WHEREAS, pursuant to Section 10.1.02 of the City of Bee Cave Home Rule Charter, the qualified voters of the City have approved the physical change or alteration of City property; and

WHEREAS, the City has called a special election to be held in the City on November 4, 2025 (the "Charter Measure Election"), to submit "Proposition A" to the voters in the City to determine whether the City Council be allowed to construct a City Library Facility to be located on the City Property; and

WHEREAS, the City will enter into one or more interlocal agreements (collectively, the "Election Agreement") with Travis County, Texas (the "County"), by and through the county election officer or the county clerk (the "Administrator"), and possibly other political subdivisions, in accordance with the laws of the State of Texas (the "State") and applicable federal law; and

WHEREAS, the City Council finds and declares that the meeting at which this Ordinance is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended; and

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

Section 1. Findings. The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Election Ordered; Date; Proposition. An election (the "Election") shall be held for and within the City on Tuesday, November 4, 2025 ("Election Day"), in accordance Chapter 1251, Texas Government Code, as amended, the Texas Election Code, as amended (the "Code"), and other applicable law. At the Election, the following proposition ("Proposition B") shall be submitted to the qualified voters of the City in accordance with law:

CITY OF BEE CAVE, TEXAS - PROPOSITION B

Shall the City Council of the City of Bee Cave, Texas, be authorized to issue general obligation bonds of the City in the amount of \$19,980,000 for the purpose of providing funds for permanent public improvements, to wit: to design, construct, improve, renovate, furnish and equip a new City library, related site development, including water, wastewater, drainage, streets and sidewalks, and related parking infrastructure; said bonds to mature serially over a period of not to exceed thirty (30) years from their date, to be issued in such installments and sold at any price or prices and to bear interest at any rate or rates as shall be determined within the discretion of the City Council under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds by levying a tax sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?

Section 3. Official Ballot. The official ballot for the Election shall be prepared in accordance with and conform to the requirements of the Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid Proposition B which shall be set forth on the ballot substantially in the following form:

CITY OF BEE CAVE, TEXAS - PROPOSITION B

THIS IS A TAX INCREASE

- | | | |
|----------------------------------|---|--|
| <input type="checkbox"/> For |) | The issuance of \$19,980,000 general obligation bonds for a |
| |) | new City library, related site development and related |
| <input type="checkbox"/> Against |) | parking infrastructure, and the imposition of taxes sufficient |
| | | to pay the principal of and interest on the bonds. |

Section 4. Persons Qualified to Vote. All resident, qualified electors of the City shall be eligible to vote at the Election.

Section 5. Voting Locations and Voting Hours on Election Day. The Election Day polling places shall be as shown in Exhibit A to this Ordinance. Exhibit A shall be modified to reflect any alterations or changes in or additions to polling places required to conform to the Code or the Election Agreement or as directed by the City Secretary of the City (the "City Secretary"). On Election Day, all electors shall vote a ballot appropriate for the precinct of their residence and each elector may vote at any Countywide Polling Place shown on Exhibit A, as provided for in Section 43.007 of the Code. On Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

Section 6. Early Voting Locations, Dates and Times. Early voting by personal appearance shall be held at the locations, at the times and on the days set forth in Exhibit B, or at such other locations as hereafter may be designated by the City Secretary or the Administrator. During the time period for early voting by personal appearance, all electors shall vote a ballot appropriate for the precinct of their residence at any location shown on Exhibit B. Exhibit B shall be modified to reflect any alterations or changes in or additions to early voting polling places or times for early voting required to conform to the Code or the Election Agreement or as directed by the City Secretary or the Administrator.

The Administrator is hereby designated as the Early Voting Clerk. The Administrator's contact information/delivery addresses for applications for ballots to be voted by mail and other matters related to the Election is as follows:

Name: Dyana Limon-Mercado, Travis County Clerk

Official Mailing Address: Travis County Clerk - Elections Division, P.O. Box 149325, Austin, TX 78714

Physical Address: Elections Division, Travis County Clerk, 5501 Airport Boulevard, Suite #100, Austin, TX 78751

E-mail Address: elections@traviscountytexas.gov

Phone Number: (512) 238-8683

Fax Number: (512) 854-3969

Website Address: <https://votetravis.gov/>

Section 7. Appointment of Election Officers. Prior to the Election Day, the election judges, alternate judges, clerks and other personnel necessary for conducting the Election will be appointed by the Administrator, and the election judges and alternate judges may be changed, pursuant to decisions of the Administrator. The Administrator shall also be responsible for establishing the central counting station for the ballots cast in such election and appointing the personnel necessary for such station. The City Council hereby authorizes each of the Mayor, City Manager, Director of Finance, City Secretary and/or any of their designees (collectively, the "Authorized Representatives") to appoint any such other officials not designated herein or appointed by the Administrator as are necessary and appropriate to conduct the Election in accordance with the Code.

Section 8. Notice of Election; Voter Information Document. Notice of the Election shall be given in the manner required by the Code and other applicable law. A voter information document for the Proposition B in the form attached hereto as Exhibit C is hereby approved, together with such revisions as may be approved by the Authorized Representatives and shall be posted in accordance with law. The City's website may be accessed at the following address:

<https://www.beecavetexas.gov/>. To the extent required by law, notice of the Election shall include such address.

Section 9. Bilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish and persons capable of acting as translators in both English and Spanish shall be made available to assist Spanish language speaking voters in understanding and participating in the election process.

Section 10. Conduct of Election; Voting Machine. The Election shall be conducted by election officers, including the election judges and alternate judges or clerks appointed by the Administrator, in accordance with the Election Agreements, the Code and the Constitution and laws of the State and the United States of America. The Authorized Representatives are authorized to enter into, execute and deliver one or more Election Agreements, in accordance with applicable provisions of the Code. The terms and provisions of each Election Agreement are hereby incorporated into this Ordinance. To the extent of any conflict between this Ordinance and an Election Agreement, the terms and provisions of the Election Agreement shall prevail, and the Authorized Representatives are authorized to make such corrections, changes, revisions and modifications to this Ordinance, including the exhibits hereto, as are deemed necessary or appropriate to conform to the Election Agreement, to comply with applicable State and federal law and to carry out the intent of the City Council, as evidenced by this Ordinance.

In accordance with the Chapter 123 of the Code, an accessible electronic voting system shall be used for the Election, including early voting. At least one accessible voting device approved and certified by the Texas Secretary of State shall be provided in each polling place and in every polling location used to conduct the Election. Said approved and certified accessible electronic voting system shall be supplied for the Election by the County, acting by and through the Administrator. The sealed ballot box procedure established by Subchapter C, Chapter 127, of the Code, shall be used for the Election.

Section 11. Necessary Actions. The Mayor and City Secretary, in consultation with the City's attorney and bond counsel are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein.

Section 12. Mandatory Disclosure of Information.

(a) Pursuant to Section 3.009, Texas Election Code: (i) the proposition language that will appear on the ballot is set forth in Section 3 of this Ordinance, (ii) the purposes for which the bonds are to be authorized are set forth in Section 2 of this Ordinance, (iii) the principal amount of bonds to be authorized is set forth in Section 2 of this Ordinance, (iv) if the issuance of bonds is authorized by voters, taxes sufficient, within the limits prescribed by law, to pay the principal of and interest on the bonds may be imposed, as set forth in Section 2 of this Ordinance, (v) bonds authorized pursuant to this Ordinance may be issued to mature over a specified number of years not to exceed the lesser of thirty (30) years or the maximum number of years authorized by law and bearing interest at the rate or rates (not to exceed the maximum rate authorized by law), as authorized by law and determined by the City Council, (vi) as of the date of the adoption of this Ordinance, the aggregate amount of outstanding principal of the City's debt obligations (includes

principal of City's debt obligations priced but not delivered as the date of adoption of this Ordinance) is \$17,820,000.00, and the aggregate amount of outstanding interest (includes interest on the City's debt obligations priced but not delivered as the date of adoption of this Ordinance) is \$10,622,639.00 and (vii) the City's ad valorem debt service tax rate as of the date of adoption of this Ordinance is \$0.0089 per \$100 of taxable property.

(b) Based upon market conditions as of the date of this Ordinance, the maximum interest rate for any series of the bonds is estimated to be 5.00%. Such estimated maximum interest rate is provided as a matter of information but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold. In addition, the estimate contained in this subsection (b) is (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the City's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 3.009, Texas Election Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to give rise to a contract with voters or limit the authority of the City Council to issue bonds in accordance with the Proposition B submitted by this Ordinance.

Section 13. Severability. If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance, for it is the definite intent of the City Council that every section, paragraph, subdivision, clause, phrase, work, or provision hereof be given full force and effect for its purpose.

Section 14. Effective Date. Pursuant to the provisions of Section 1201.028, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

(Signature page follows.)

PASSED AND APPROVED this August 12, 2025.

Kara King

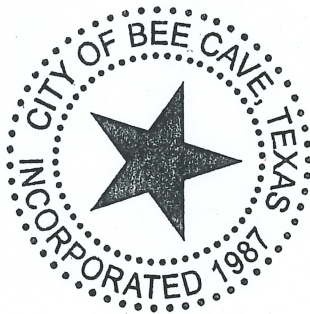
Kara King, Mayor
City of Bee Cave, Texas

ATTEST:

Jo Ann Touchstone

Jo Ann Touchstone, City Secretary
City of Bee Cave, Texas

(SEAL)



APPROVED AS TO FORM:

Ryan Henry

Ryan Henry, City Attorney

EXHIBIT A¹

**ELECTION DAY POLLING LOCATIONS
(Between the hours of 7:00 a.m. and 7:00 p.m.)**

[To be provided by Travis County]

¹ Election Day Polling Locations subject to adjustment, as directed by the Administrator.

EXHIBIT B²

EARLY VOTING POLLING LOCATIONS AND TIMES

[To be provided by Travis County]

² Early Voting Polling Locations subject to adjustment, as directed by the Administrator.

(2) Assumed changes in estimated future appraised values within the City: 2.5% growth. See attached.

(3) Assumed interest rate on the debt obligations to be issued: 5.0%.

(4) Assumes that the City will maintain existing any optional homestead or other property tax exemptions.

(5) Assumes homestead will not qualify for idiosyncratic exemptions, including, but not limited to, the state-mandated homestead exemption for disabled veterans and their families, surviving spouses of members of the armed services killed in action and surviving spouses of first responders killed or fatally wounded in the line of duty.

(6) Assumes that applicable law will not change to provide for mandatory property tax exemptions or property tax freezes that are not available under current law.

(7) Assumes municipal bond insurance will not be obtained for the proposed debt obligations.

(8) In accordance with Sections 1251.051-.052, Texas Government Code, the City's debt obligations that are budgeted for payment and paid from nontax revenue sources are designated as self-supporting and excluded from the information concerning the City's outstanding debt obligations above.

As required by Section 1251.052, Texas Government Code, this Voter Information Document has been prepared for Proposition B submitted to voters pursuant to an "Ordinance Calling a Bond Election for November 4, 2025 to be Held Within the City of Bee Cave, Texas; Making Provisions for the Conduct and the Giving of Notice of the Election; and Containing Other Provisions Related Thereto" (the "Bond Election Ordinance"). The foregoing estimates contained in this Voter Information Document are (i) based on certain assumptions (including the major assumptions listed above and assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds) and derived from projections obtained from the City's financial advisor, (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 1251.052, Texas Government Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to (and expressly do not) give rise to a contract with voters or limit the authority of the City to issue bonds in accordance with Proposition B submitted by the City's Bond Election Ordinance.