

Notice of Meeting of the Governing Body of the City of Georgetown, Texas October 26, 2021

The Georgetown City Council will meet on October 26, 2021 at 2:00 PM at City Council Chambers, 510 W 9th Street Georgetown, TX 78626

The City of Georgetown is committed to compliance with the Americans with Disabilities Act (ADA). If you require assistance in participating at a public meeting due to a disability, as defined under the ADA, reasonable assistance, adaptations, or accommodations will be provided upon request. Please contact the City Secretary's Office, at least three (3) days prior to the scheduled meeting date, at (512) 930-3652 or City Hall at 808 Martin Luther King Jr. Street, Georgetown, TX 78626 for additional information; TTY users route through Relay Texas at 711.

The Georgetown City Council is now meeting in person. A quorum of the City Council will be in attendance at the Georgetown City Council Chambers located at 510 West 9th Street, Georgetown, TX 78626. It is possible that one or more Council members may attend via video Conference using the Zoom client.

Face masks are encouraged when attending in-person. Use of profanity, threatening language, slanderous remarks or threats of harm are not allowed and will result in you being immediately removed from the meeting.

If you have questions or need assistance, please contact the City Secretary's office at cs@georgetown.org or at 512-930-3651.

Policy Development/Review Workshop -

- A Presentation and discussion regarding historic tax programs -- Mayra Cantu, Assistant to the City Manager and Britin Bostick, Downtown and Historic Planner
- B Presentation, update and discussion on redistricting -- Skye Masson, City Attorney and Bickerstaff, Heath, Delgado, Acosta LLP
- C Overview, discussion and direction from City Council regarding the possible creation of an In-City Municipal Utility District (MUD) for the proposed Madison Tract -- Sofia Nelson, Planning Director
- D Presentation and discussion on boards and commissions – David Morgan, City Manager
- E Presentation and discussion regarding the operation of pedicabs within the city limits of Georgetown – Cory Tehida, Acting Police Chief

Executive Session

In compliance with the Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the items listed below will be discussed in closed session and are subject to action in the regular session.

F Sec. 551.071: Consultation with Attorney

Advice from attorney about pending or contemplated litigation and other matters on which the attorney has a duty to advise the City Council, including agenda items

- Litigation Update

Sec. 551.072: Deliberations about Real Property

- Berry Creek Interceptor Phases 1-3, Parcel 11 (Chamberlin) – Jim Kachelmeyer, Assistant City Attorney

- Potential Sale of Surplus Property to Habitat for Humanity – Jim Kachelmeyer, Assistant City Attorney

Sec. 551.086: Certain Public Power Utilities: Competitive Matters

- Purchased Power Update

- ISDA Agreement with Morgan Stanley

Sec. 551.087: Deliberation Regarding Economic Development Negotiations

- Project Flex Power

- Project Festival

Adjournment

Certificate of Posting

I, Robyn Densmore, City Secretary for the City of Georgetown, Texas, do hereby certify that this Notice of Meeting was posted at City Hall, 808 Martin Luther King Jr. Street, Georgetown, TX 78626, a place readily accessible to the general public as required by law, on the _____ day of _____, 2021, at _____, and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Robyn Densmore, City Secretary

City of Georgetown, Texas
City Council Workshop
October 26, 2021

SUBJECT:

Presentation and discussion regarding historic tax programs -- Mayra Cantu, Assistant to the City Manager and Britin Bostick, Downtown and Historic Planner

ITEM SUMMARY:

Following to the adoption of updates to the Historic District Design Guidelines in July the City Council has requested information on possible options for a historic tax program. The presentation by staff includes programs implemented in other Texas cities, a recap of recent preservation activity in Georgetown, examples of preservation projects and requested feedback.

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Britin Bostick, Downtown & Historic Planner

ATTACHMENTS:

Staff Presentation

Historic Tax Programs

Mayra Cantu, Assistant to the City Manager & Britin Bostick, Downtown & Historic Planner

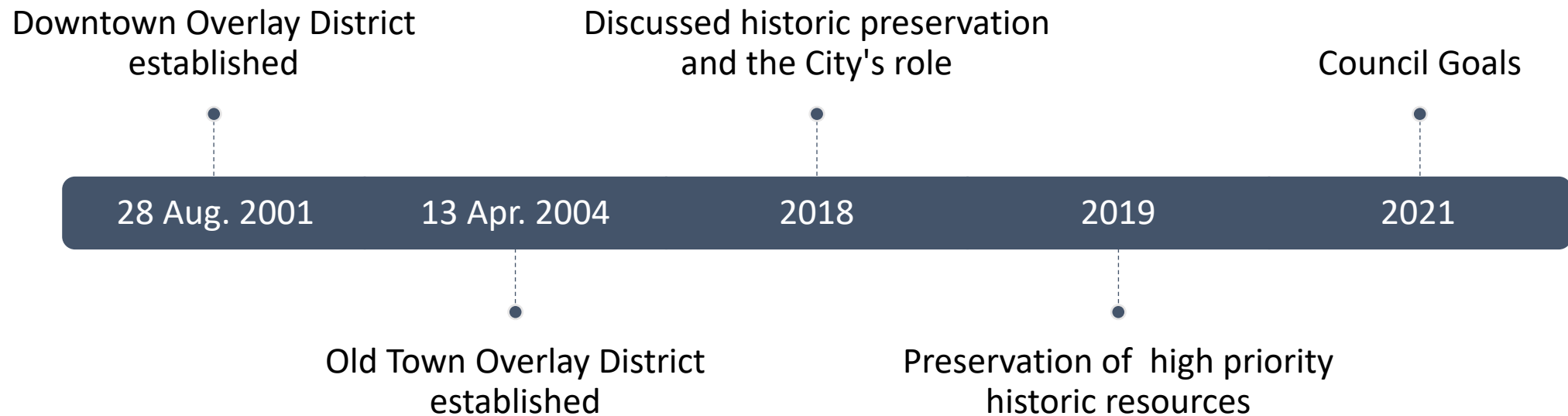
October 12, 2021

Overview

- Background
- Program Goals
- What are other cities doing?
- Georgetown Preservation Activity
- Program Example Impacts
- Feedback Requested

Background

HISTORY OF ENCOURAGING HISTORIC PRESERVATION



What are other cities doing?

Other Cities – Primary Program Types



Status based incentive –
property tax exemption based
on qualifying historic status



Project based incentive –
property tax exemption or
freeze related to restoration or
rehabilitation work meeting
specific qualifications



Combination of both



Status Based Historic Tax Exemptions

Round Rock

- The partial tax exemption program for historically significant properties (approximately 80) was created in 1982. The program is administered jointly by the City of Round Rock Planning Department and the [Williamson Central Appraisal District \(WCAD\)](#). Under this program, property owners receive a 75% exemption of *municipal* property taxes.
- The program encourages owners of historic properties to use money saved on taxes to provide regular maintenance and/or repair to their historic structures. The overall benefit to Round Rock is the long-term preservation of the City's historic resources.

Project Based Historic Tax Exemptions

San Antonio

10-year freeze on city portion of property taxes with 25%-35% of improvement value rehab costs

Requires approval by historic commission and verification site visit

Fort Worth

10-year freeze on city portion of property taxes with min. 20% of improvement value rehab costs

Has been partnered with Habitat for Humanity-funded projects

Dallas

Designated historic properties can qualify for project-based property tax exemptions

Requires approval by historic commission and verification letter

Tax Revenue Impact

City	Historic Districts	How many properties does your city have that use this credit?	What is the financial impact/loss in revenue from them having this?
Fort Worth	14	6,190	\$35,861,144 in property value was exempted from City of Fort Worth taxes in FY20-21. This equals a loss of \$268,062 in tax revenue for the City in FY20-21, and averages \$1,540 in tax savings per property.
San Antonio	32	40-50 properties added annually that verify, 400-500 properties receiving 10-year exemptions	Up to \$2 Million annual cost to City, most property owners receive \$1,000-2,000 annual reduction in tax savings.

Dallas Criteria and Process

- Apply for determination of eligibility by the Landmark Commission
- Start rehabilitation work
- Apply for a letter of verification after the rehabilitation is complete
- Apply directly to DCAD every year, for the duration of Exemption

Category		Type	Required Expenditures (% of pre-rehab value of structure only)	Amount (portion of land and structure)	Duration	Renewable (façade expenditures only)
Urban Historic Districts Includes all properties located within the Urban historic district area shown on the last page of this packet	<input type="checkbox"/>	Based on Rehab	75%	100%	10 years	Yes
	<input type="checkbox"/>	Based on Rehab	50%	Added Value	10 years	Yes
	<input type="checkbox"/>	Residential / ground floor conversion	50% must be converted to residential and 65% of ground floor must be converted to retail	100%	5 years	No
Revitalizing Historic Districts Includes properties located in: • Junius Heights • Lakecliff • Peak's Suburban • South Blvd. / Park Row • Winnetka Heights	<input type="checkbox"/>	Based on Rehab	25%	100%	10 years	Yes
Endangered Historic Districts • 10 th Street • Wheatley Place	<input type="checkbox"/>	Based on Rehab	25%	100%	10 years	Yes

Eligible Costs

Architectural and engineering services if directly related to the eligible costs described above	Carpentry	Demolition and cleanup if directly related to the eligible costs described	Electrical	Elevators determined to be necessary to utilize the building	Exterior doors	Exterior brick veneers or treatments
Facade items	Flooring	Foundation	Gutter where necessary for structural integrity	Heating and cooling	Interior work that becomes a permanent part of the building that will help preserve the structure	Mechanical
Painting (exterior and interior)	Porch	Plumbing	Rehabilitation of a contributing structure used for the required parking	Roofing	Security and/or fire protection systems	Sheetrocking
Siding	Structural walls	Structural subfloors	Structural ceilings	Repair of termite damage and termite treatment	Windows	Other items deemed necessary by the Landmark Commission that assist in preserving of the historic structure

Ineligible Costs

- Landscaping
- Legal and accounting fees
- Overhead
- Plumbing and electrical fixtures; provided, however, documented replacement of historic fixtures may be considered eligible
- Purchasing tools
- Repairs of construction equipment
- Supervisor payroll
- Taxes
- Any other items not directly related to the exterior appearance

Combination Programs

Waxahachie

Historic properties and properties in historic districts (approximately 150 properties) are eligible for a 25% exemption of the City portion of the appraised value.

Eligible properties entitled to a reinvestment tax incentive of up to 50% of the City portion of the property tax bill for restorations that amount to \$1,250 or more.

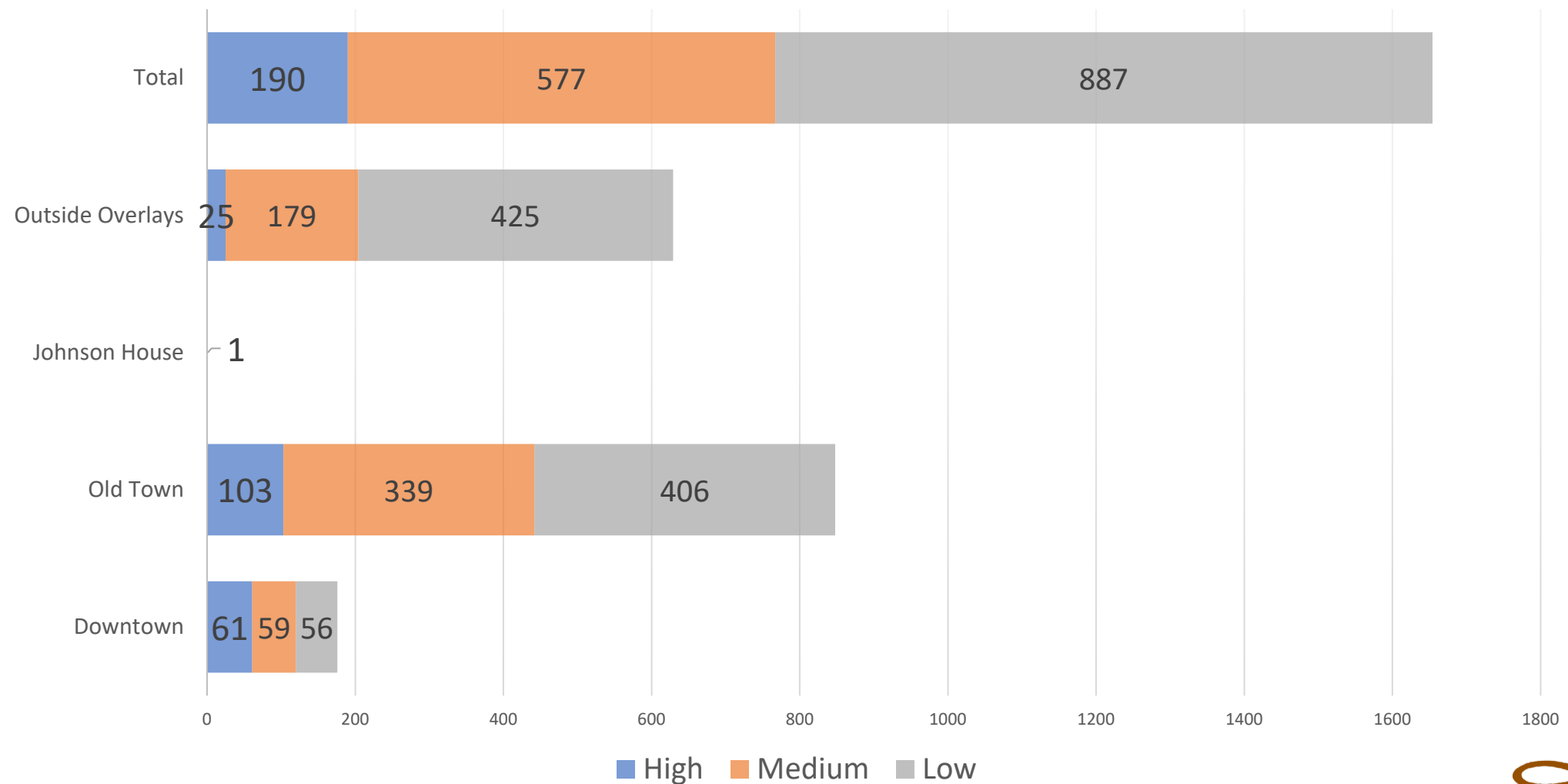
New Braunfels

Properties in historic landmark districts (4 districts with approximately 207 properties) are eligible for a 20% reduction of City's assessed property taxes.

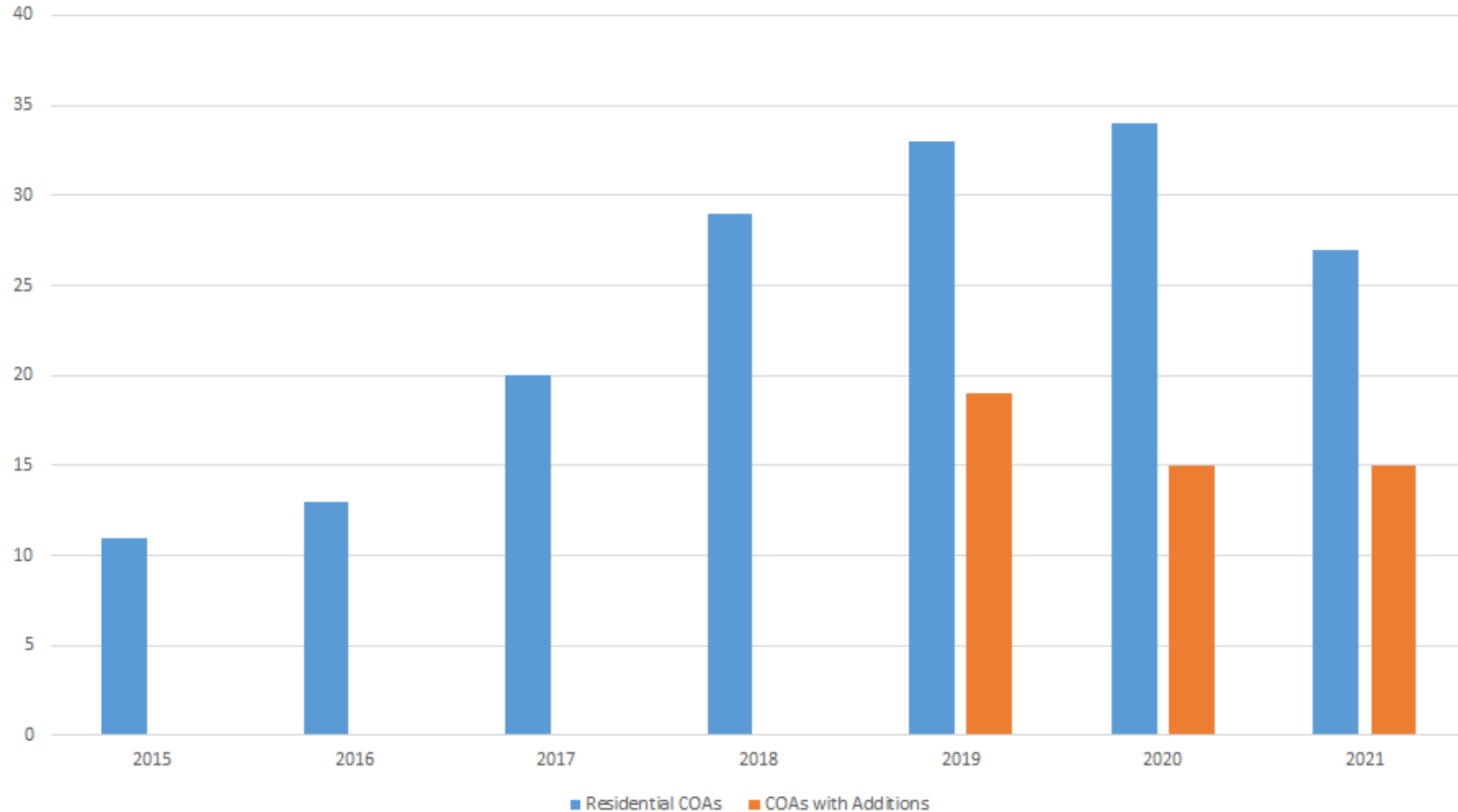
Local landmarks are eligible for a tax incentive when project is 10% of the value of the property. The pre-rehabilitation assessed value is used for five years, and in the fourth year may apply for a five-year extension. Applicants provide proof of qualified expenses to the HPO.

Georgetown Preservation Activity

1,654 Historic Structures Citywide



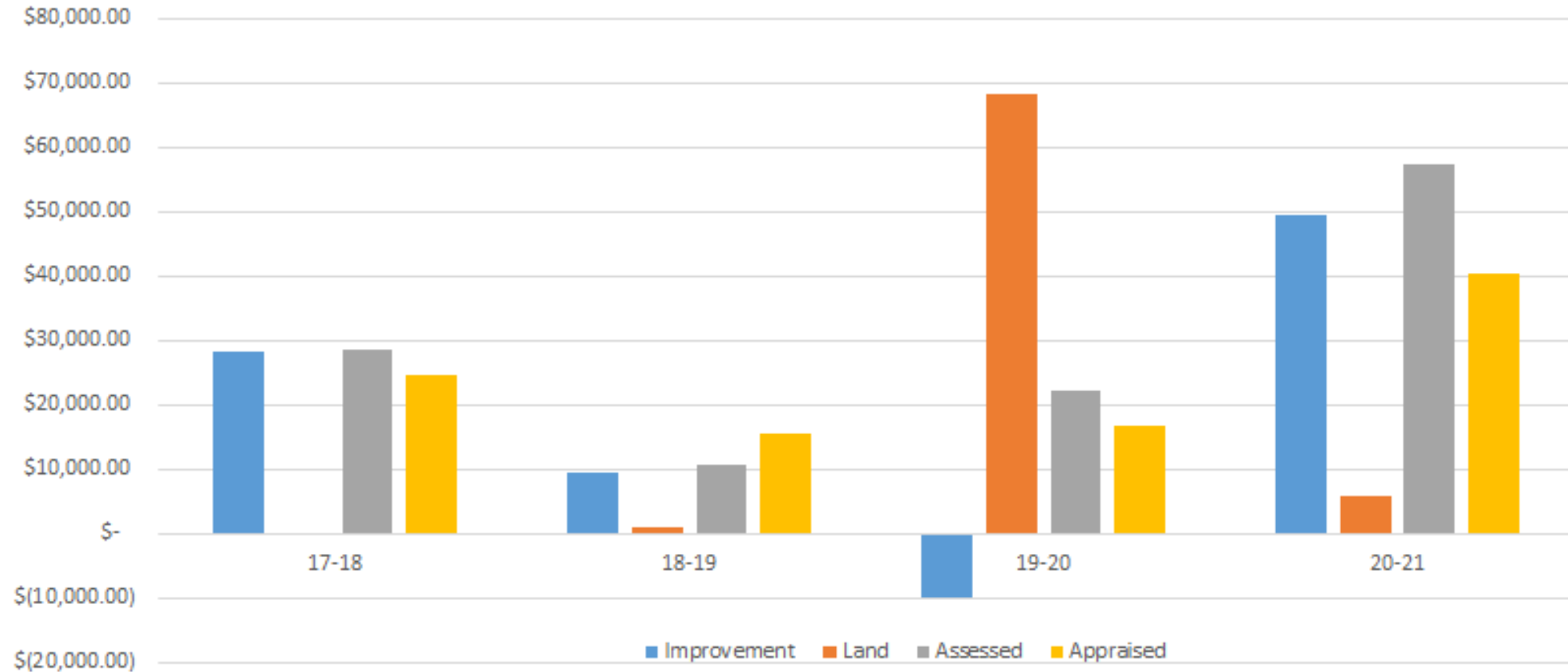
Residential Certificates of Appropriateness



2021 Property Tax Exemptions*

	Residential Properties	Average Value	Homestead	Over 65	Disabled/ Disabled Vet
Citywide	25,374	\$333,425	74.12%	44.32%	7.46%
Old Town	900	\$370,332	61.78%	26.56%	3.56%

Old Town Average Annual Change in Value (2017-21)*



*Data from WCAD

Example – Rehabilitation with Addition (Before) High Priority



Existing East front facade along Elm Street



Existing South facade at main house along E 14th Street



Existing West front facade along Elm Street



Existing South facade at main house along E 14th Street

Example – Rehabilitation (After) High Priority



- Rebuilt chimney
- Restored original windows
- New wood shingle roof

Example – Porch & Siding Replacement (Med. Priority)



1984 Photo



- New porch columns & deck
- Asbestos siding replaced
- Historic window feature preserved

Example – Rehabilitation Low Priority



- Remove vinyl siding (non-historic material) & replace with fiber cement siding
- Restore original diamond-pane casement windows.
- Repair and replace deteriorated wood trim.

Program Example Impacts

2022 Property Tax Average – Old Town Overlay

Taxing Unit	Avg. Assessed Property Value	2022 Tax Rate	Estimated Tax
City of Georgetown	\$370,332	0.401	\$1,485.03
Georgetown ISD	\$370,332	1.231	\$4,558.79
Williamson County	\$370,332	0.440846	\$1,632.59
Wmsn Co FM/RD - RFM	\$370,332	0.039359	\$145.76
TOTAL		2.112205	\$7,822.17

Program Example – Status Exemption*

Non-Homestead Residential

Assessment/Exemption	Value	Estimated Tax
Assessed Value - Total	\$370,332	\$8,087.38**
Assessed Value - CoG	\$370,332	\$1,547.99
25% Historic Exemption	\$387	\$1,160.99
75% Historic Exemption	\$1,161	\$386.99

Homestead Exempt Residential

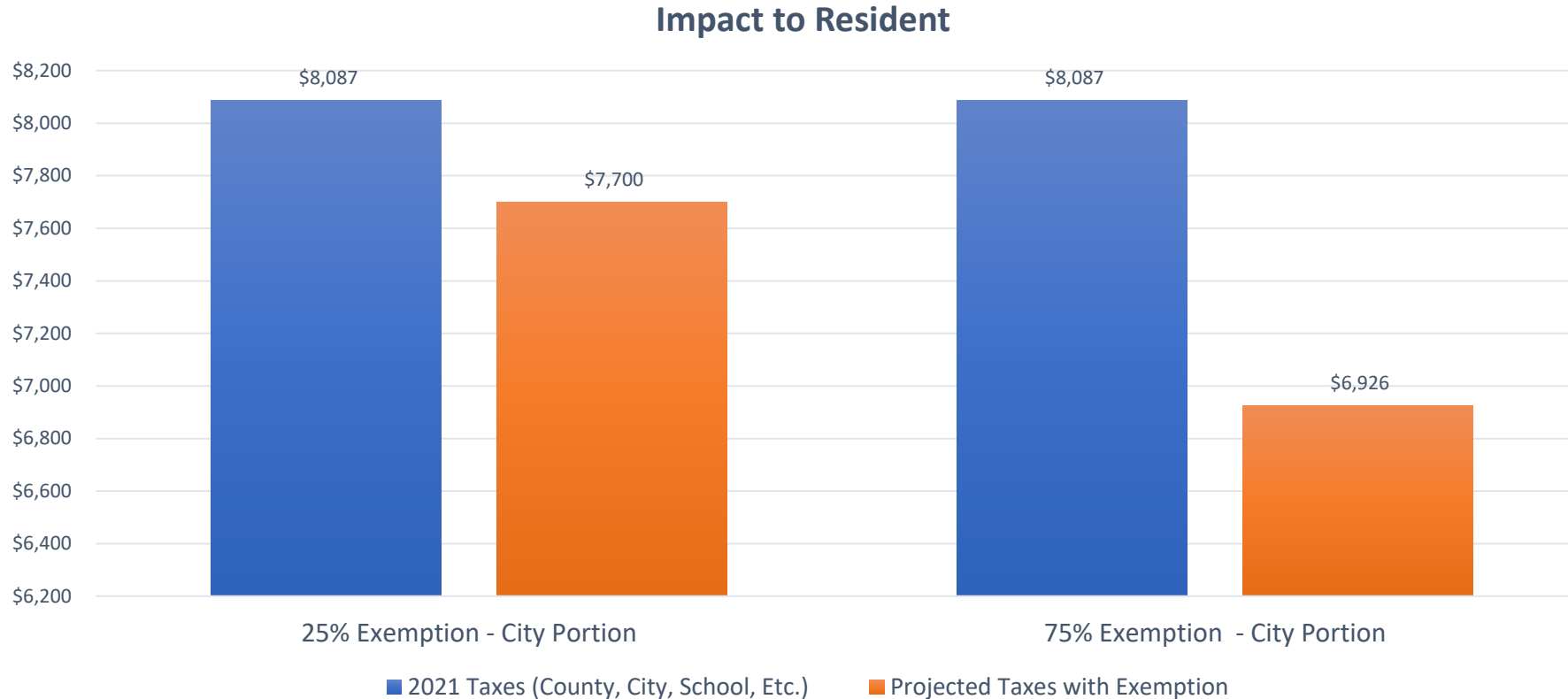
Assessment/Exemption	Value	Estimated Tax
Assessed Value - Total	\$410,296	\$8,611.25**
Assessed Value - CoG	\$410,296	\$1,715.04
Homestead Exemption	\$20.90	\$1,694.14
Over 65 Exemption	\$50.16	\$1,643.98
25% Historic Exemption	\$428.76	\$1,215.22
75% Historic Exemption	\$1,286.28	\$357.70

*Calculated using the WCAD tax estimator for 2021 tax rates

**Value includes WILCO, WILCO Road & Bridge, GISD and City of Georgetown Property Tax Rates for 2021



Program Example – Status Exemption*



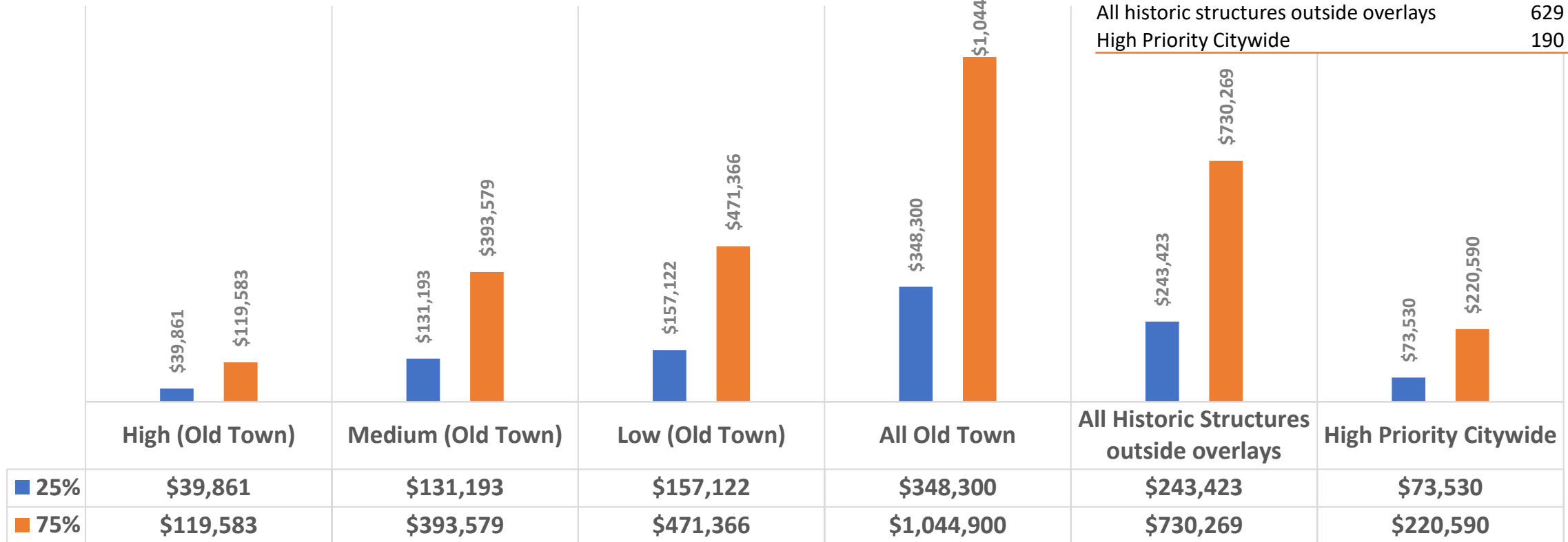
***Calculated using the WCAD tax estimator for 2021 tax rates for a home with a value of \$370,332**

****Value includes WILCO, WILCO Road & Bridge, GISD and City of Georgetown Property Tax Rates for 2021**

Status Program Example Costs*

IMPACT TO GENERAL FUND

■ 25% ■ 75%



Property Type	Total
High (Old Town)	103
Medium (Old Town)	339
Low (Old Town)	406
All Old Town	845
All historic structures outside overlays	629
High Priority Citywide	190

*Calculated using the average assessed residential value for Old Town

Program Selection Matrix

Goal	Tax Freeze	Status-Based Exemption	Project-Based Exemption	Project-Based Grant
Incentivize Preservation/Rehabilitation Projects	X	X	X	X
Encourage Repair	X	X	X	X
Offset Maintenance Costs	X	X		
Offset Rising Property Taxes	X			

Feedback Requested

Program Goals

- What are the goals for the program?
 - Is it to incentivize preservation?
 - Is it to encourage home repair?
 - Is it offset higher overall maintenance in historic homes?
 - Is it to offset rising property taxes?
 - Which homes are included in the scope?
 - Are we applying to encourage new renovations and/or renovations that occurred in the past?

Feedback Requested

- What does a successful program look like?
- Who would benefit from the program?
- Is there a need to partner the program with other programs?

Feedback Requested

- Is there additional information needed to give direction to staff?
- Is there a preferred program type or goal?
- Are there other options the Council would like staff to research and bring back for consideration?

City of Georgetown, Texas
City Council Workshop
October 26, 2021

SUBJECT:

Presentation, update and discussion on redistricting -- Skye Masson, City Attorney and Bickerstaff, Heath, Delgado, Acosta LLP

ITEM SUMMARY:

This workshop will provide an update regarding the 2021 redistricting process.

Discussion will include recommended policies and procedures to ensure that the City of Georgetown is in compliance with state and federal law.

FINANCIAL IMPACT:

n/a

SUBMITTED BY:

Rachel Saucier

ATTACHMENTS:

Initial Assessment Letter and Attachments



October 18, 2021

Mayor Josh Schroeder
City Council
City of Georgetown

Re: *Initial Assessment considering 2020 Census data*

Dear Mr. Schroeder and the City of Georgetown's City Counsel:

This is the Initial Assessment letter for the City of Georgetown. Our review of the recently released 2020 Census population and demographic data for the City shows that the City's councilmember districts are sufficiently out of population balance that you should redistrict. We are prepared to meet with the City Council on October 12, 2021 at 2:00 p.m. to review the Initial Assessment and to advise the City Council on how to proceed to redistrict the City councilmember districts to bring them into population balance for use in the 2022 election cycle.

This letter presents a brief overview of basic redistricting principles to assist you in preparing for our presentation on the Initial Assessment. We also set out in the attachments (Attachment H) suggested posting language for the meeting at which the Initial Assessment will be presented. Note that this posting language includes agenda items for the adoption of redistricting criteria and guidelines. These are matters that should be addressed early in the redistricting process to enable us to proceed efficiently. We will be working with you to develop the appropriate language for your adoption of redistricting criteria and guidelines.

In redistricting the councilmember districts, the City will need to be aware of the legal standards that apply. We will review these principles in detail with the City Council at the presentation on the Initial Assessment. There are three basic legal principles that govern the redistricting process: (i) the "one person-one vote" (equal population) principle; (ii) the non-discrimination standard of Section 2 of the Voting Rights Act; and (iii) the *Shaw v. Reno* limitations on the use of race as a factor in redistricting. These principles are discussed in detail in the attachments to this letter, which we urge you to read and review carefully.

The process we have outlined for the redistricting process and the policies and procedures that we are recommending the Council adopt will ensure that the City adheres to these important legal principles and that the rights of protected minority voters in the political subdivision are accorded due weight and consideration.

The “One Person – One Vote” Requirement: Why You Should Redistrict

The “one person-one vote” requirement of the United States Constitution requires that members of an elected body be chosen from districts of substantially equal population and applies to city councils. Exact equality of population is not required, but a “total maximum deviation” of no more than ten percent in total population between the most populated and the least populated city councilmember districts based on the most recent census should be achieved. This maximum deviation of ten percent constitutes a rebuttable presumption of compliance with the one person-one vote requirement. If a city’s councilmember districts do not fall within the ten percent maximum deviation, the city is at substantial risk of being sued for violation of one person-one vote standards.

The population and demographics of all the current City councilmember districts are presented in here and in Attachment A.

The tables in Attachment A show that the total population of the City on April 1, 2020, was 66,880 persons. This represents an increase in population from 47,400 persons on April 1, 2010, or approximately 41%. The ideal City councilmember district should now contain 9,554 persons (= total population / 7 single-member districts).

Councilmember District 7 has the largest population, which is approximately 40.8% above the size of the ideal district (3,898 people too large). District 6 has the smallest population, which is approximately 26.86% below the size of the ideal district (2,566 people too small).

The total maximum deviation between the seven existing councilmember districts for the City therefore is 67.66%. This total maximum deviation exceeds the standard of ten percent that generally has been recognized by the courts as the maximum permissible deviation. Accordingly, the City must redistrict to bring its City councilmember districts within the ten percent range permitted by law.

Section 2 of the Voting Rights Act: Avoiding discrimination claims

Section 2 of the federal Voting Rights Act prohibits any voting standard, practice, or procedure – including new redistricting plans – that have the effect of discriminating against a protected minority group. The principles of Section 2’s nondiscrimination mandate are discussed in Attachment C.

The data in the Population Tables in Attachment A as well as the data in the maps in Attachment B, which show the geographic distribution of the primary minority groups in the City, will also be important in assessing the potential for Voting Rights Act Section 2 liability. (See Attachment C for a discussion of Section 2.)

Shaw v Reno: Additional equal protection considerations

As noted above, in order to comply with Section 2, the City must consider race/ethnicity when drawing districts. The 1993 Supreme Court case *Shaw v. Reno*, however, limits how and when race

can be a factor in the districting decisions. Thus, local governments must walk a legal tightrope, where the competing legal standards must all be met. The *Shaw v. Reno* standard requires that there be a showing that (1) the race-based factors were used in furtherance of a “compelling state interest” and (2) their application be “narrowly tailored,” that is, they must be used only to the minimum extent necessary to accomplish the compelling state interest. (*Shaw v. Reno* is discussed in Attachment C.) We will guide the City through proper application of this principle.

Adoption of redistricting criteria and public participation guidelines

At the presentation of the Initial Assessment we will recommend certain “traditional” redistricting criteria that the City may require all redistricting plans to follow. These criteria generally track the legal principles that the courts and the Department of Justice have found to be appropriate elements in sound redistricting plans. We will also recommend certain public participation guidelines that the City may wish to adopt to ensure fair and adequate public participation in the redistricting process, and that any comments or proposed plans submitted by members of the public are written, clear, and complete, and the submitter provides contact information.

Once redistricting guidelines and criteria are adopted and the City Council gives instructions about how it would like plans to be developed considering this Initial Assessment and the applicable legal standards, we can begin drawing a base plan for presentation to the Council and the public to assist the City in the development of a revised plan for consideration.

We hope this Initial Assessment discussion is helpful to you and that it will guide the City Council as it executes the redistricting process. We look forward to meeting with the Council to review this Initial Assessment and to answer any questions you may have concerning any aspect of that process. Please feel free to call me in the interim as we prepare for the presentation and let me know if there is any additional information you may require.

Sincerely,



Cobby Caputo

Encl.

ATTACHMENT A
INITIAL ASSESSMENT POPULATION TABLES

Demographics Report - Summary 2020 Census Total Population

Plan Last Edited on: 9/24/2021 5:09:33 PM

District	Persons	Ideal Size	Deviation	Hispanic % of Total Population	Non-Hispanic White % of Total Population	Non-Hispanic Black % of Total Population	Non-Hispanic Asian % of Total Population	Non-Hispanic Other % of Total Population
1	8,731	9,554	-8.62%	40.66%	44.04%	8.40%	2.78%	4.08%
2	9,127	9,554	-4.47%	19.78%	69.99%	3.37%	2.36%	4.49%
3	10,771	9,554	12.73%	11.92%	81.18%	2.42%	1.15%	3.32%
4	7,181	9,554	-24.84%	2.83%	94.03%	0.45%	0.53%	2.17%
5	10,630	9,554	11.26%	13.74%	77.27%	2.51%	2.01%	4.44%
6	6,988	9,554	-26.86%	26.70%	59.43%	7.47%	1.52%	4.88%
7	13,452	9,554	40.80%	31.47%	53.78%	6.00%	3.03%	5.71%

Ideal Size: 9,554**Total Population: 66,880****Overall Deviation: 67.66%***Some percentages may be subject to rounding errors.*

Demographics Report - Summary 2020 Census Voting Age Population

Plan Last Edited on: 9/24/2021 5:09:33 PM

District	Total VAP*		Hispanic % of Total VAP	Non-Hispanic Anglo % of Total VAP	Non-Hispanic Black % of Total VAP	Non-Hispanic Asian % of Total VAP	Non-Hispanic Other % of Total VAP
1	6,632		36.96%	48.15%	8.78%	2.88%	3.27%
2	7,414		16.60%	73.46%	2.99%	2.47%	4.38%
3	9,653		9.21%	84.75%	2.09%	1.15%	2.78%
4	7,138		2.69%	94.44%	0.39%	0.53%	1.95%
5	8,244		11.05%	81.10%	2.35%	2.03%	3.47%
6	5,860		24.16%	63.04%	7.25%	1.52%	4.06%
7	9,569		28.80%	57.25%	5.98%	3.50%	4.49%

* VAP - Voting Age Population

Some percentages may be subject to rounding errors.

Demographics Report - Detailed 2020 Census Total Population

Plan Last Edited on: 9/24/2021 5:09:33 PM

District	Persons	Ideal Size	Deviation	Hispanic	Hispanic % of Total Population	ANGLO	Non-Hispanic Anglo % of Total Population	Black	Black % of Total Population	Asian	Asian % of Total Population	AM Indian Native	IND / NAT % TOT Pop.	Haw Pac. Isl.	HAW/ PAC % of Total Pop.	Other	Other % of Total Pop.	Two or More Races	Two or More Races % Tot Pop
1	8,731	9,554	-8.62%	3,550	40.66%	3,845	44.04%	733	8.40%	243	2.78%	15	0.17%	14	0.16%	32	0.37%	295	3.38%
2	9,127	9,554	-4.47%	1,805	19.78%	6,388	69.99%	308	3.37%	215	2.36%	32	0.35%	4	0.04%	26	0.28%	348	3.81%
3	10,771	9,554	12.73%	1,284	11.92%	8,744	81.18%	261	2.42%	124	1.15%	28	0.26%	2	0.02%	20	0.19%	308	2.86%
4	7,181	9,554	-24.84%	203	2.83%	6,752	94.03%	32	0.45%	38	0.53%	10	0.14%	0	0.00%	18	0.25%	128	1.78%
5	10,630	9,554	11.26%	1,461	13.74%	8,214	77.27%	267	2.51%	214	2.01%	32	0.30%	9	0.08%	36	0.34%	395	3.72%
6	6,988	9,554	-26.86%	1,866	26.70%	4,153	59.43%	522	7.47%	106	1.52%	25	0.36%	8	0.11%	30	0.43%	278	3.98%
7	13,452	9,554	40.80%	4,234	31.47%	7,234	53.78%	807	6.00%	407	3.03%	38	0.28%	16	0.12%	82	0.61%	632	4.70%

Ideal Size: 9,554

Total Population: 66,880

Overall Deviation: 67.66%

Some percentages may be subject to rounding errors.

Demographics Report - Detailed 2020 Census Voting Age Population

Plan Last Edited on: 9/24/2021 5:09:33 PM

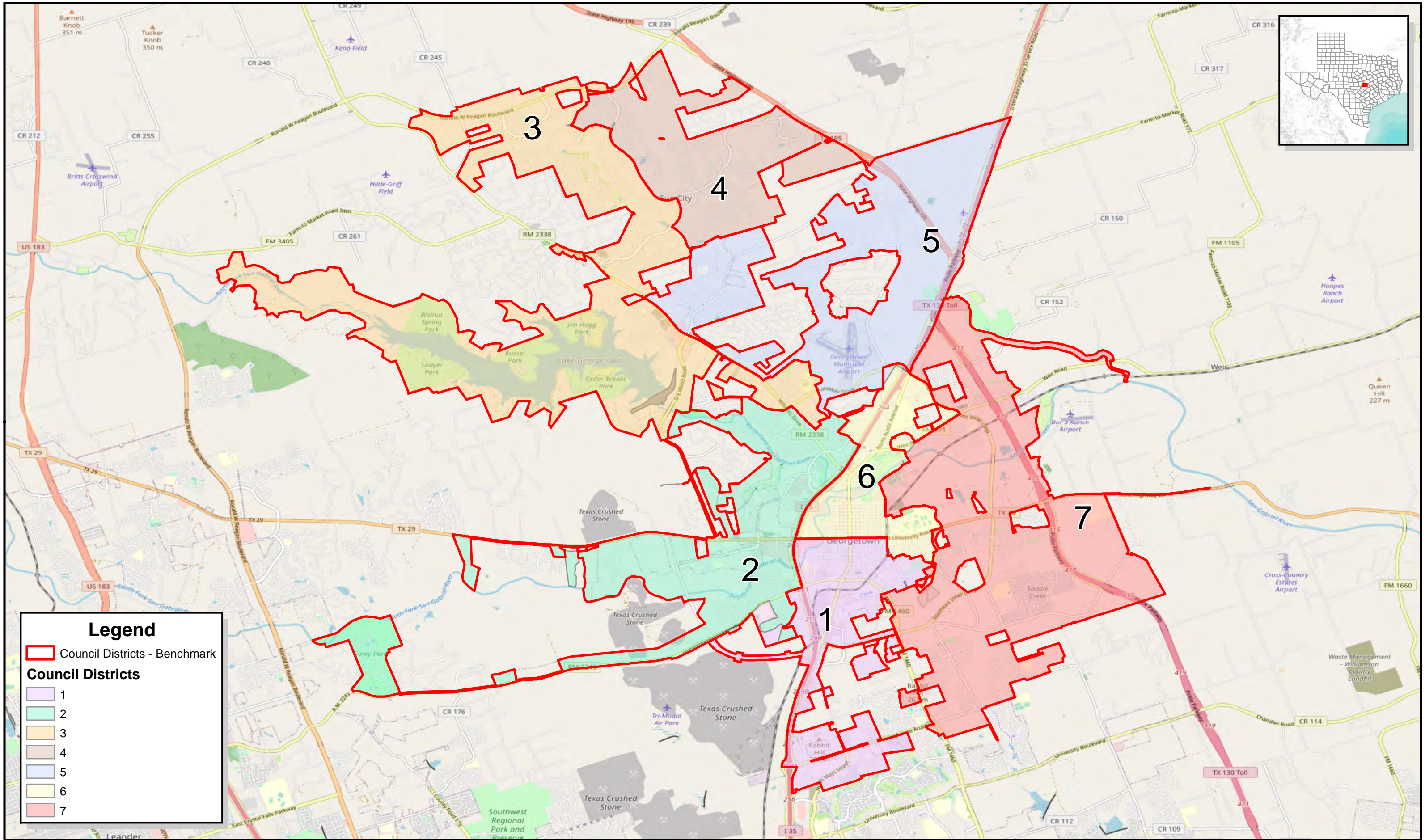
District	Total VAP	Hispanic VAP	% Hispanic VAP	Anglo VAP	% Anglo VAP	Black VAP	% Black VAP	Asian VAP	% Asian VAP	AM IND NATIVE VAP	% AM IND NATIVE VAP	HAW/PAC VAP	% HAW/PAC VAP	Other VAP	% Other VAP	Two or More Races VAP	% Two or more VAP
1	6,632	2,451	36.96%	3,193	48.15%	582	8.78%	191	2.88%	10	0.15%	4	0.06%	24	0.36%	179	2.70%
2	7,414	1,231	16.60%	5,446	73.46%	222	2.99%	183	2.47%	27	0.36%	4	0.05%	19	0.26%	275	3.71%
3	9,653	889	9.21%	8,181	84.75%	202	2.09%	111	1.15%	25	0.26%	2	0.02%	18	0.19%	223	2.31%
4	7,138	192	2.69%	6,741	94.44%	28	0.39%	38	0.53%	10	0.14%	0	0.00%	14	0.20%	115	1.61%
5	8,244	911	11.05%	6,686	81.10%	194	2.35%	167	2.03%	23	0.28%	8	0.10%	26	0.32%	229	2.78%
6	5,860	1,416	24.16%	3,694	63.04%	425	7.25%	89	1.52%	24	0.41%	5	0.09%	24	0.41%	185	3.16%
7	9,569	2,756	28.80%	5,478	57.25%	572	5.98%	335	3.50%	27	0.28%	14	0.15%	48	0.50%	341	3.56%

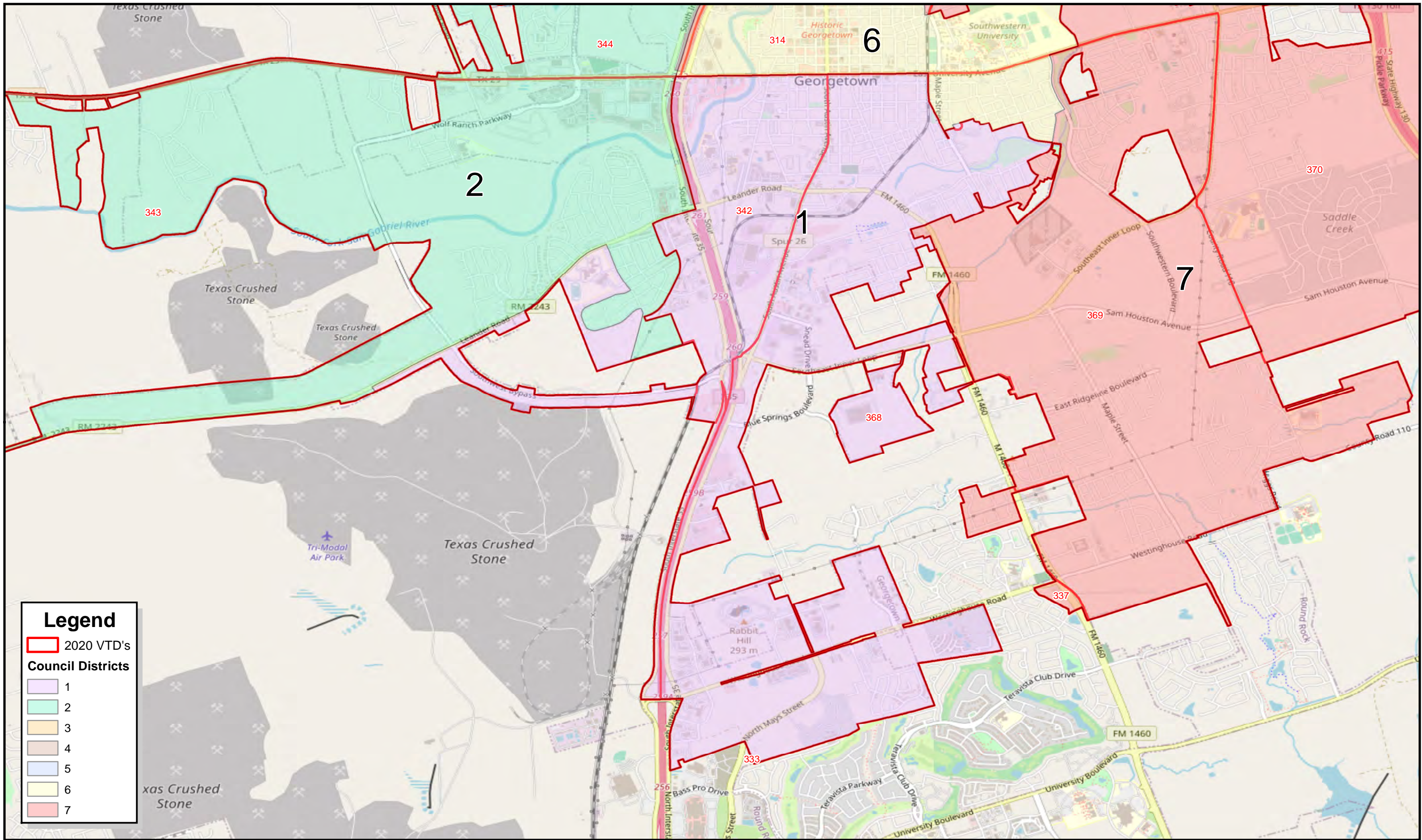
* VAP - Voting Age Population

Some percentages may be subject to rounding errors.

ATTACHMENT B

MAPS





Legend

2020 VTD's

Council Districts

- 1
- 2
- 3
- 4
- 5
- 6
- 7



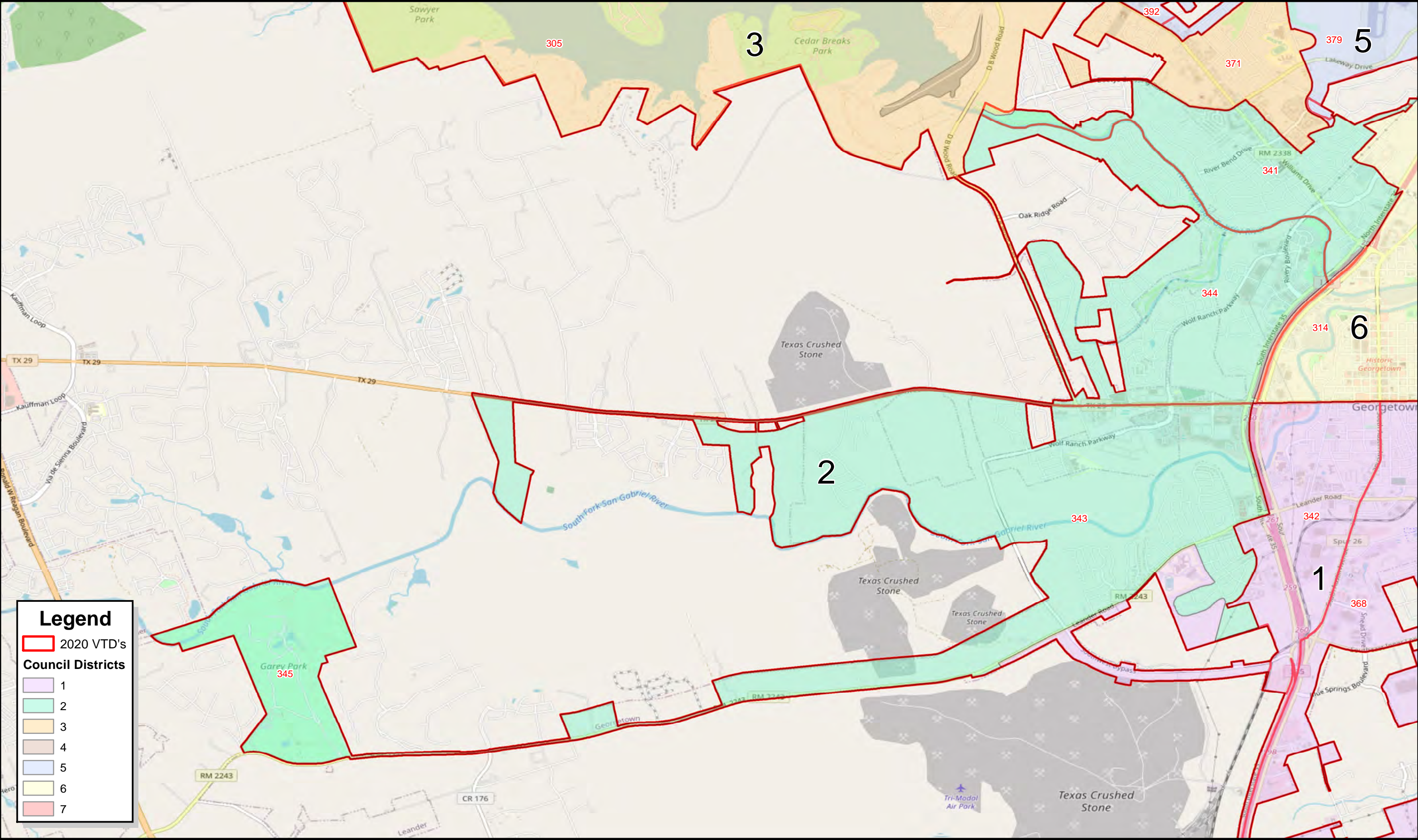
0 0.25 0.5 1 Miles

Created: 9/25/2021

Background Image: ESRI World Street Map

City of Georgetown Council District 1 2021 Initial Assessment





Legend

2020 VTD's

Council Districts

1

2

3

4

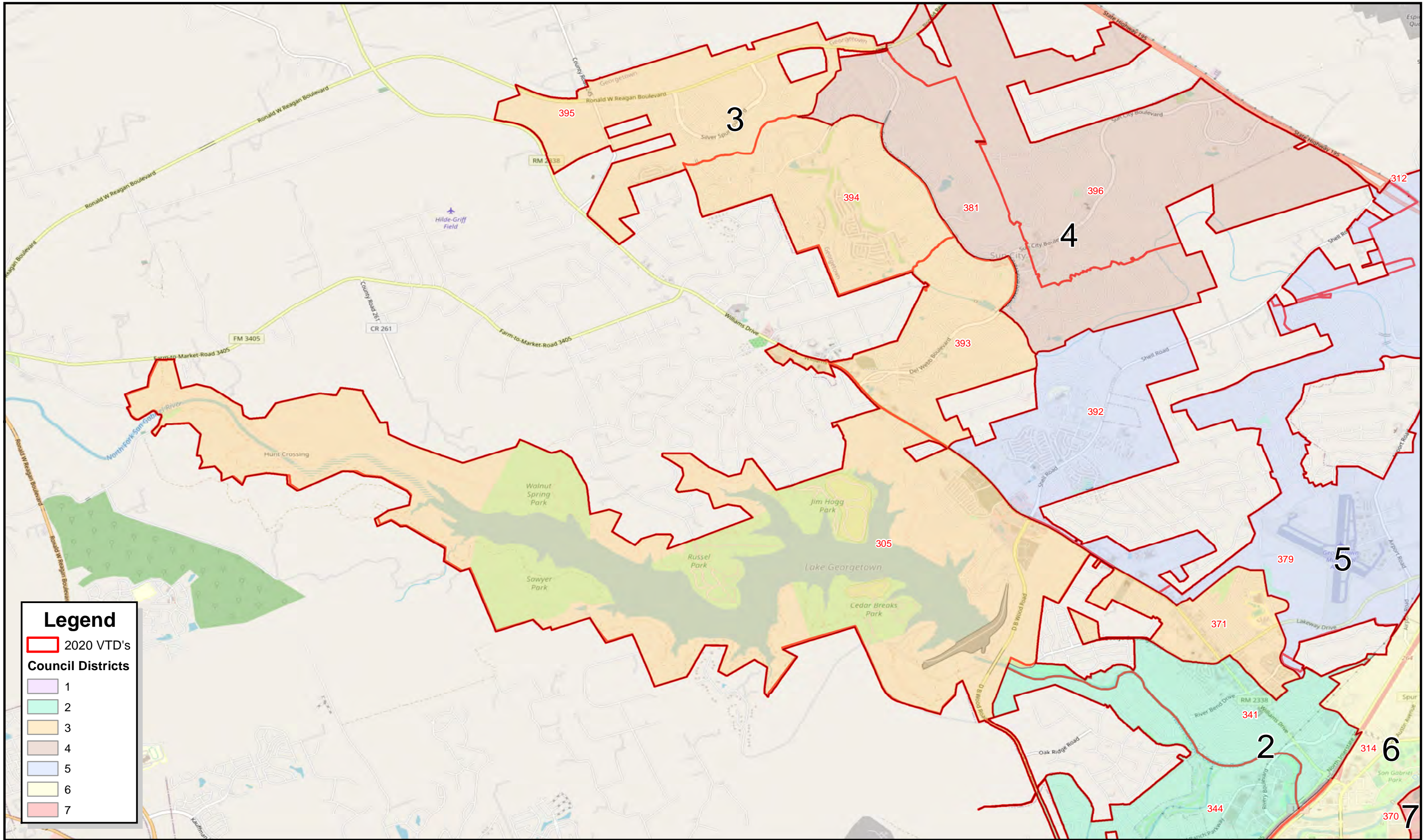
5

6

7

City of Georgetown Council District 2

2021 Initial Assessment



0 0.5 1 2 Miles

Created: 9/25/2021

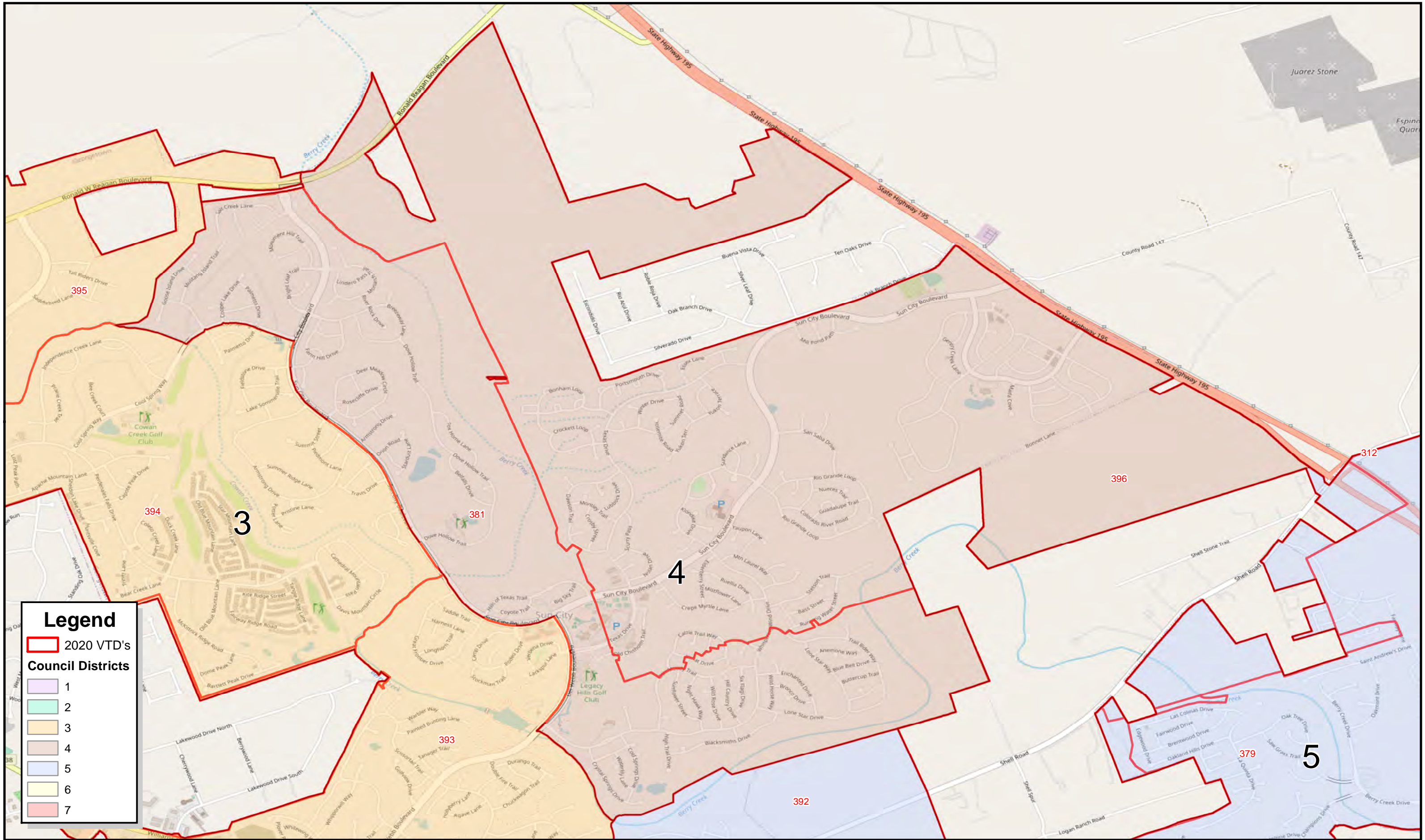
Background Image: ESRI World Street Map

Page 49 of 114

City of Georgetown Council District 3 2021 Initial Assessment

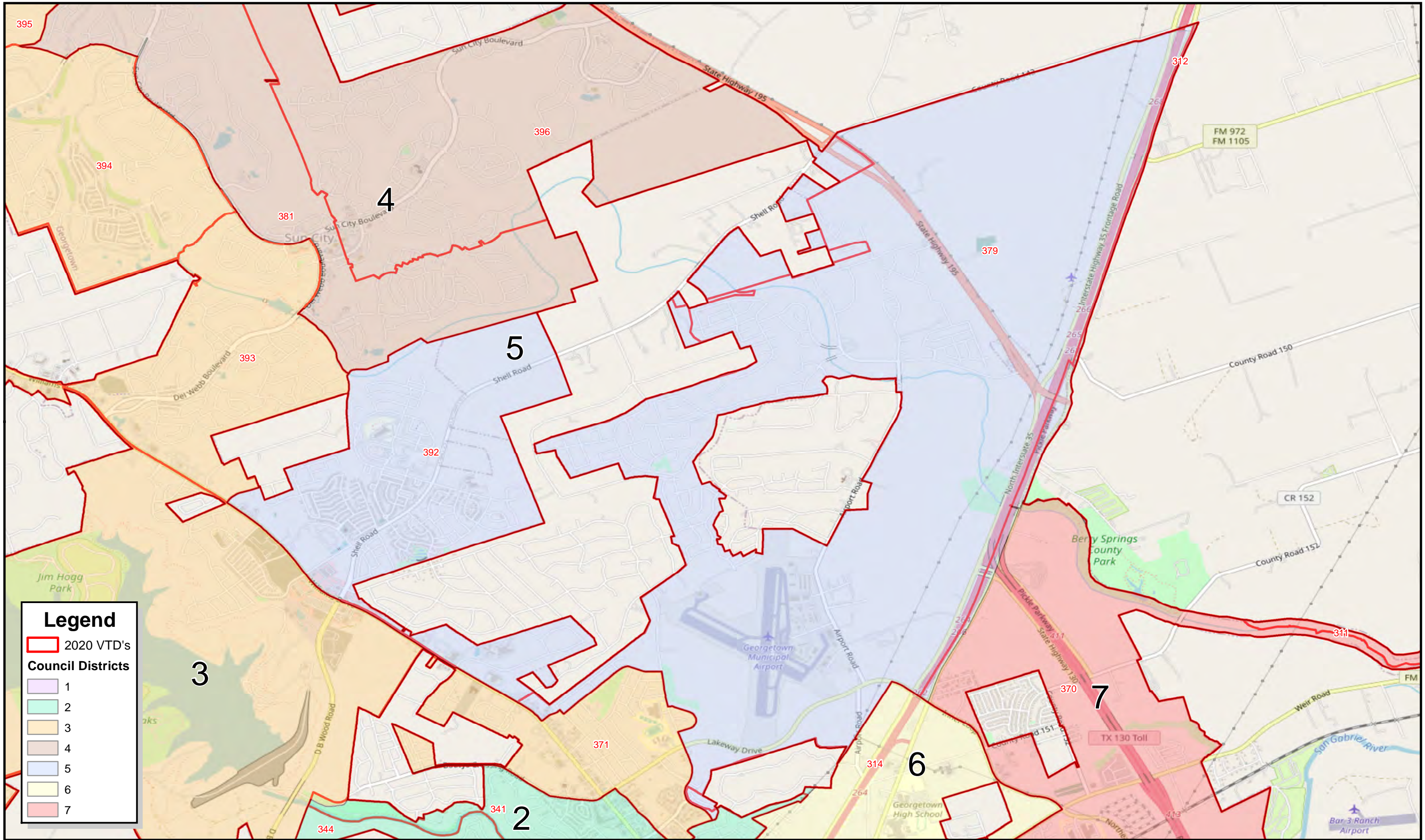
© 2021 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other
features obtained from the 2020
Tiger/line files, U.S. Census Bureau





City of Georgetown Council District 4 2021 Initial Assessment





0 0.375 0.75 1.5 Miles

Created: 9/25/2021

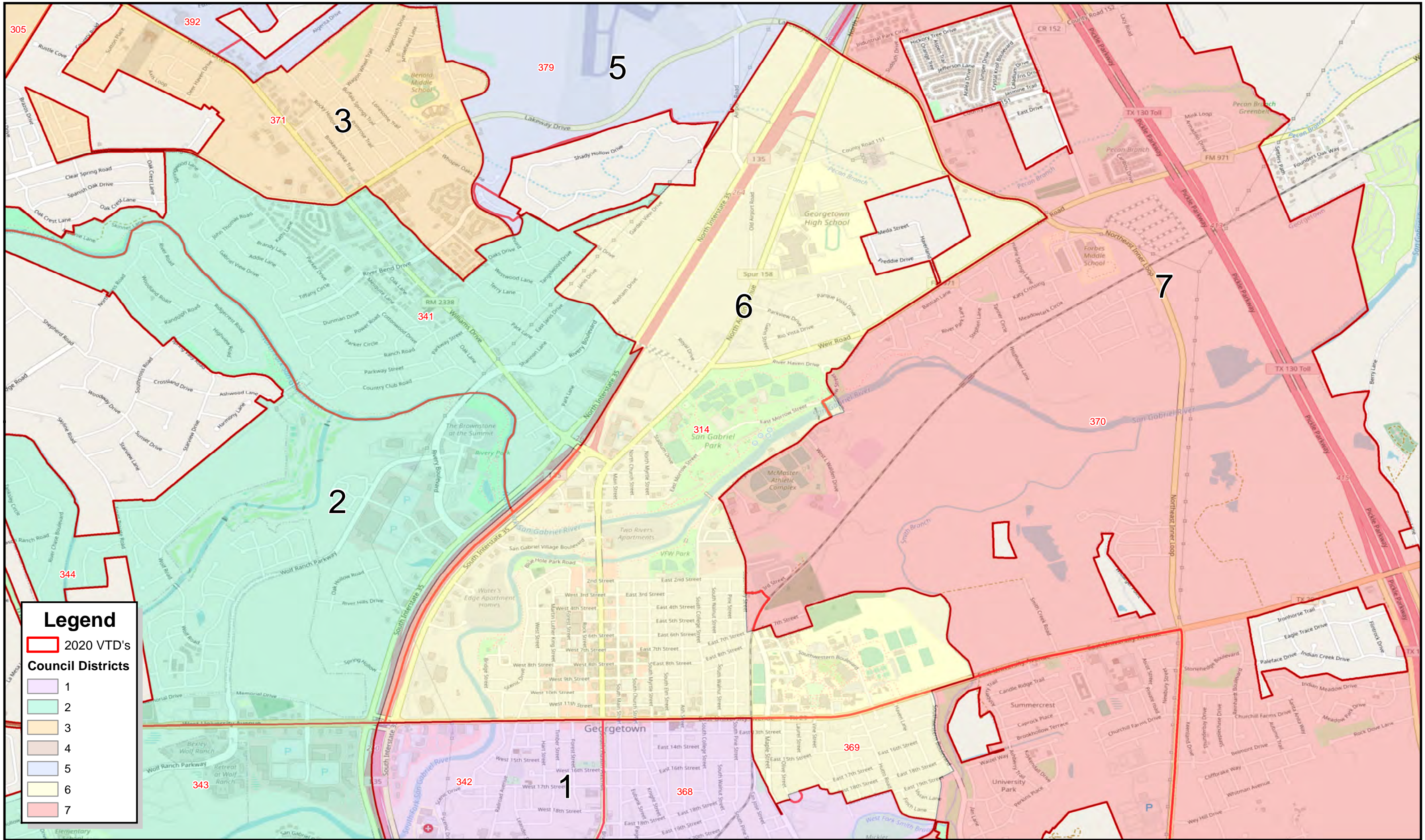
Background Image: ESRI World Street Map

Page 51 of 114

City of Georgetown Council District 5 2021 Initial Assessment

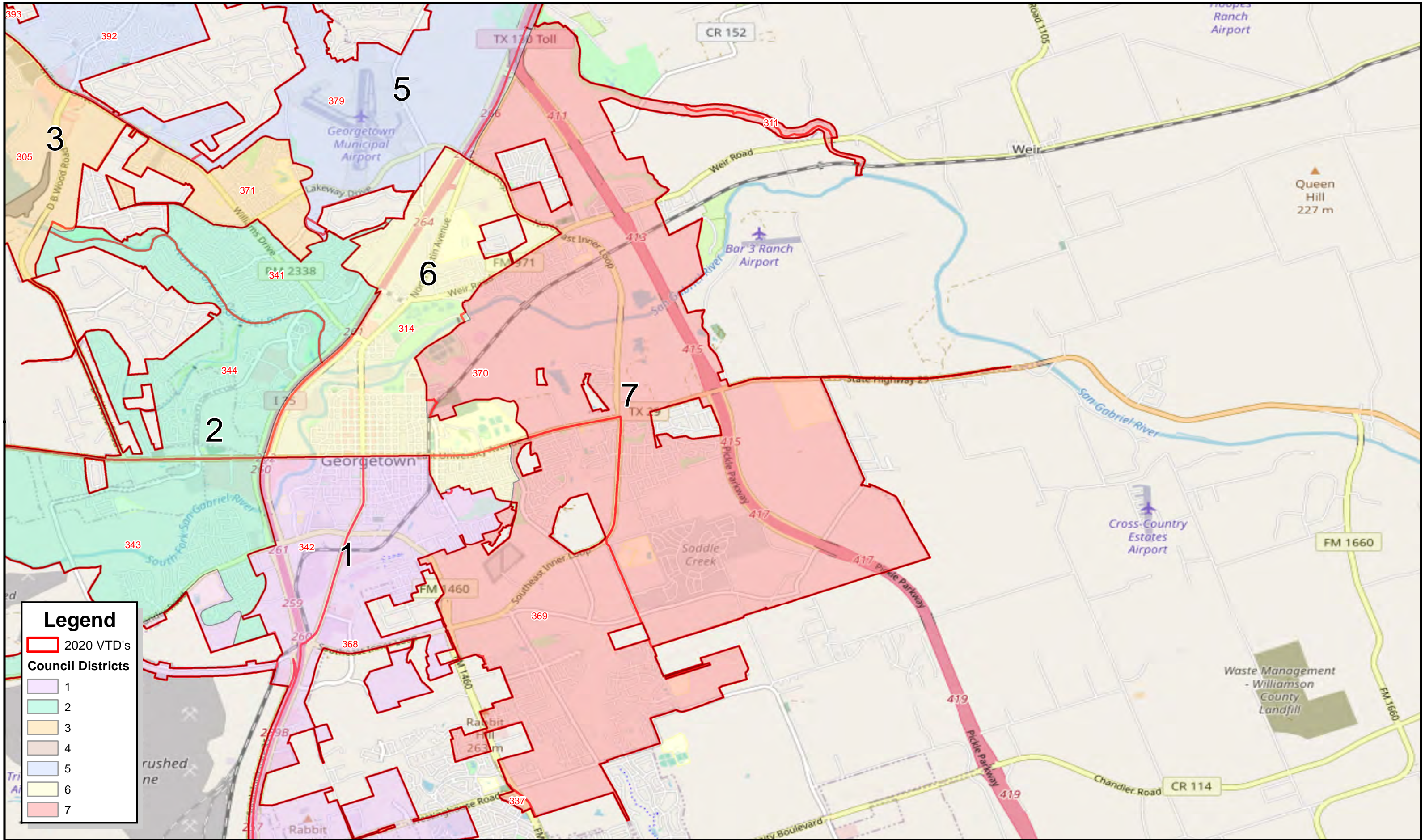
© 2021 Bickerstaff Heath Delgado Acosta LLP
Data Source: Roads, Water and other
features obtained from the 2020
Tiger/line files, U.S. Census Bureau





City of Georgetown Council District 6 2021 Initial Assessment





City of Georgetown Council District 7 2021 Initial Assessment





Legend

Council Districts

Percent Hispanic

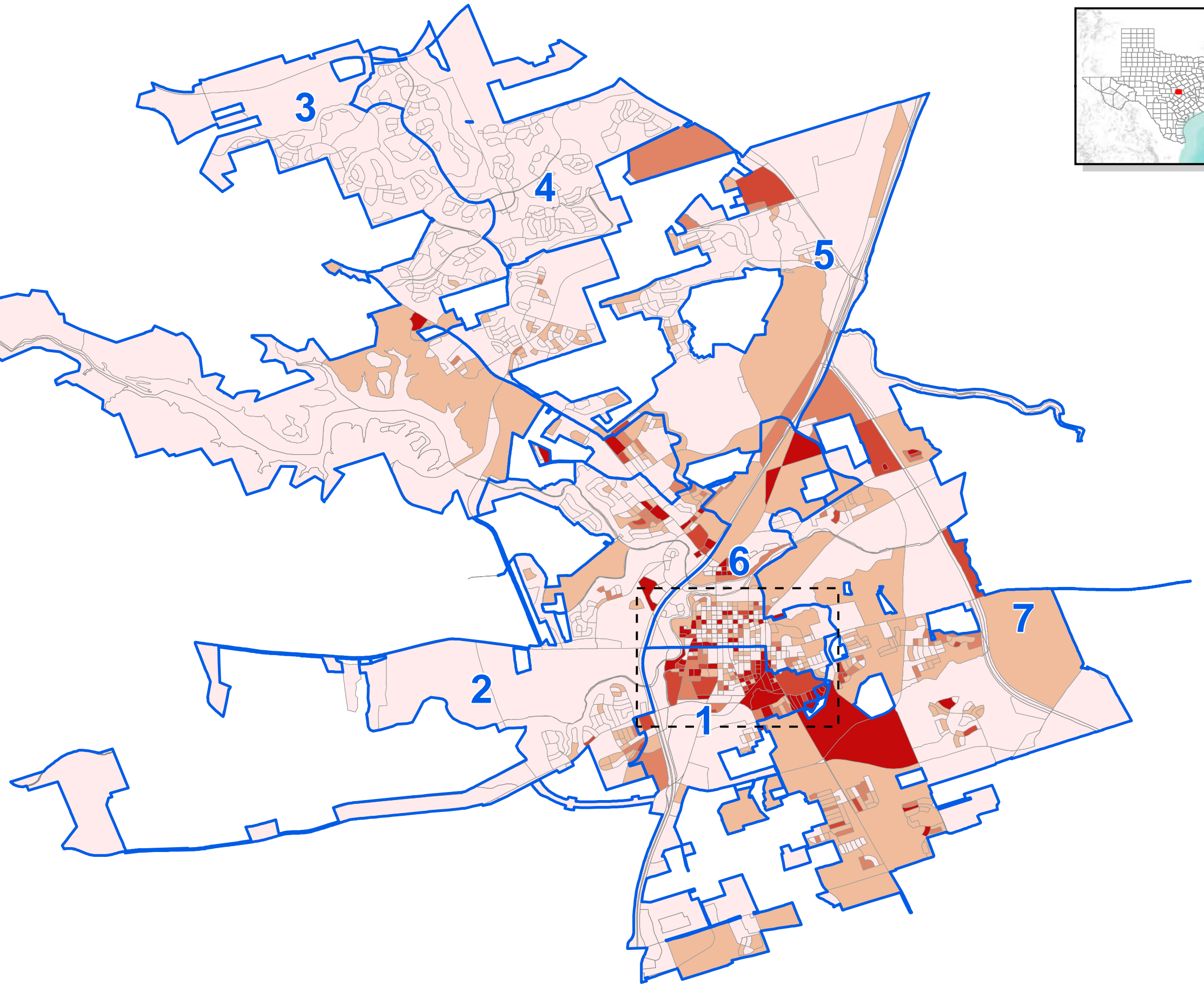
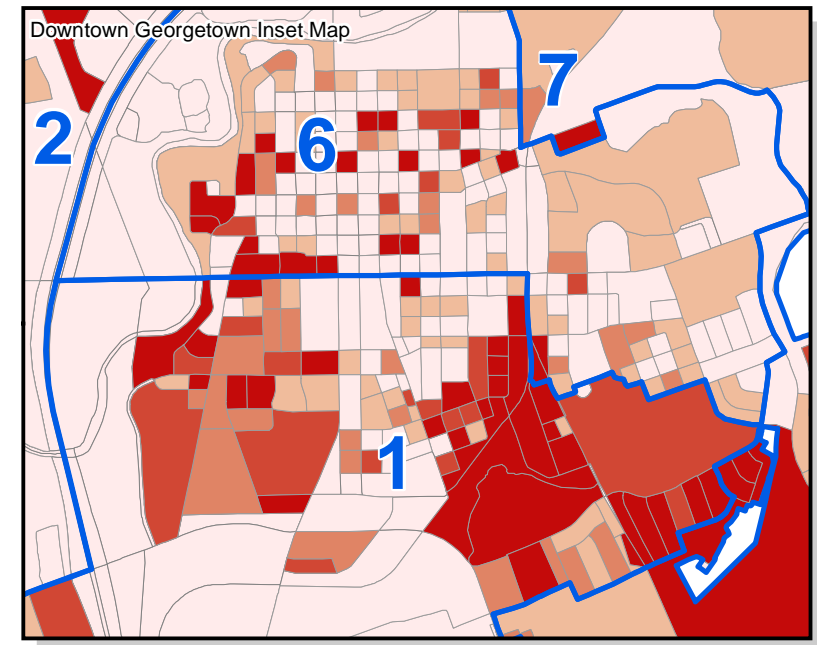
0% - 20%

21% - 40%

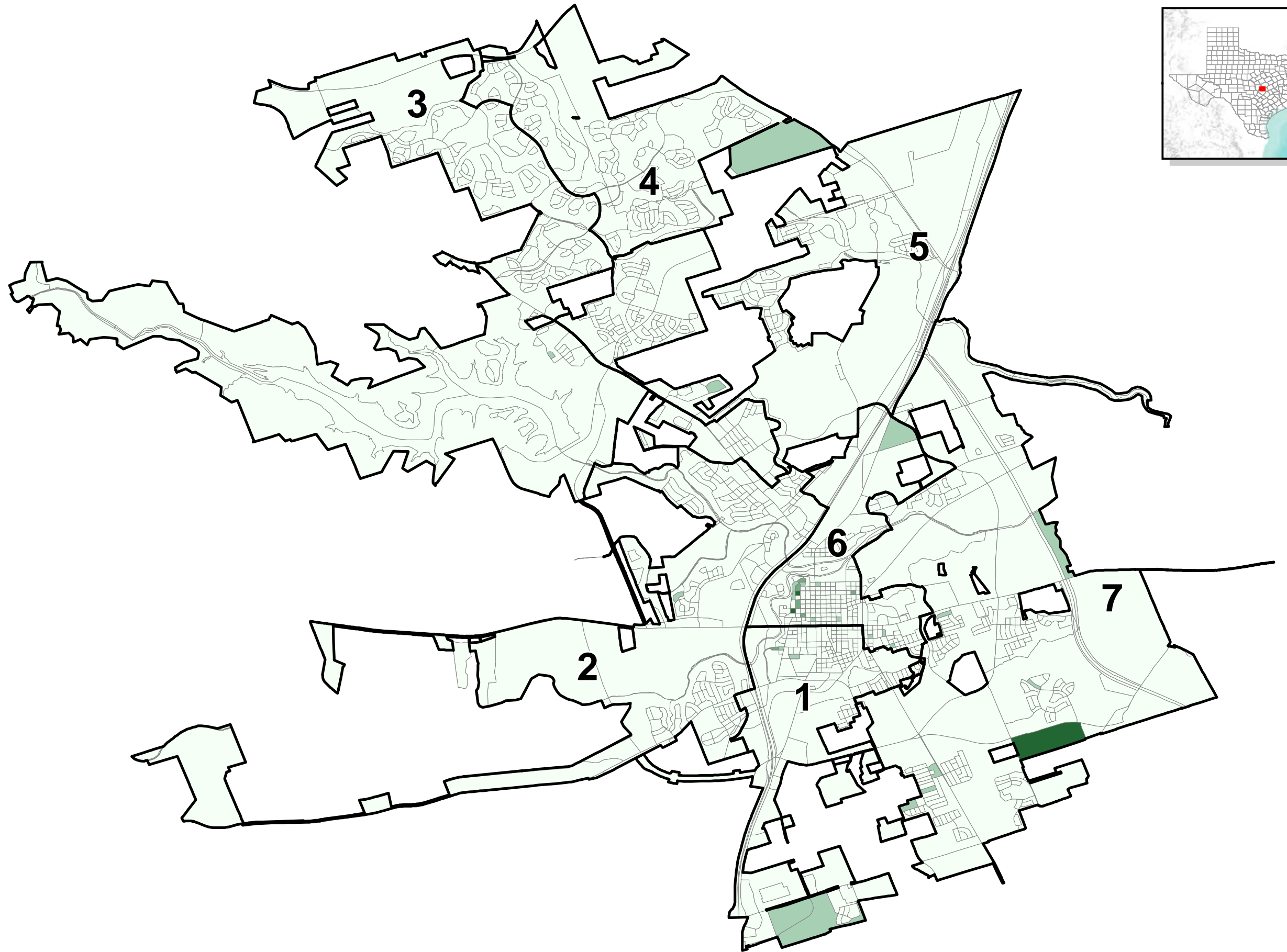
41% - 50%

50% - 60%

Over 60%



City of Georgetown Council Districts Percent Hispanic by 2020 Census Block Data



Legend

□ Council Districts

Percent Black

0% - 20%

21% - 40%

41% - 50%

51% - 60%

Over 60%

City of Georgetown Council Districts Percent Black by 2020 Census Block Data



ATTACHMENT C
LEGAL PRINCIPLES

LEGAL PRINCIPLES GOVERNING THE REDISTRICTING PROCESS

There are three basic legal principles that govern the redistricting process: (i) the “one person-one vote” (equal population) principle; (ii) the non-discrimination standard of Section 2 of the Voting Rights Act; and (iii) the *Shaw v. Reno* limitations on the use of race as a factor in redistricting. In addition, although it will not apply to the 2021 redistricting, Section 5 of the Voting Rights Act, which applied a “retrogression” standard to minority group populations in specific districts, may be helpful as a tool to analyze potential Section 2 issues regarding a proposed new plan.

The terminology of redistricting is very specialized and includes terms that may not be familiar, so we have included as Attachment D to this Initial Assessment letter a brief glossary of many of the commonly-used redistricting terms.

The “One Person – One Vote” Requirement: Why You Redistrict

The “one person-one vote” requirement of the United States Constitution requires that members of an elected body be drawn from districts of substantially equal population. This requirement applies to the single-member districts of “legislative” bodies such as commissioners courts and other entities with single-member districts such as school boards or city councils.

Exact equality of population is not required for local political subdivisions. However, they should strive to create districts that have a total population deviation of no more than 10 percent between their most populated district and the least populated district. This 10 percent deviation is usually referred to as the “total maximum deviation.” It is measured against the “ideal” or target population for the governmental entity based on the most recent census. The 10 percent standard is a rebuttable presumption of compliance with the one person-one vote requirement.

A governing body is therefore required to determine whether the populations of its single-member districts (including school board trustee districts) are within this 10 percent balance based on 2020 Census population data. If the population deviation among the districts exceeds the permissible 10 percent total maximum deviation, the entity must redistrict, that is, redraw the boundaries of the individual districts so that the total populations of all the new districts are within the permissible 10 percent limit. A hypothetical example of how deviation is calculated is given in Attachment E.

Generally, redistricting will use the Census Bureau’s recently released population data for the 2020 Census in drawing new redistricting plans – the so-called “PL 94-171” data. In any legal challenge to a new plan, it is this data that likely would be applied. Although several types of population data are provided in the PL 94-171 files, redistricting typically is based upon total population.

Official Census data should be used unless the governmental entity can show that better data exists. The court cases that have dealt with the question have made it clear that the showing

required to justify use of data other than Census data is a very high one – impossibly high at a time so close to the release of new Census data. As a practical matter, therefore, we recommend that entities use the 2020 Census data in their redistricting processes. We have based the Initial Assessment on PL 94-171 total population data; the relevant data are summarized in Attachment A.

In the redistricting process, each governmental entity will use a broad spectrum of demographic and administrative information to accomplish the rebalancing of population required by the one person-one vote principle. The charts provided with this report not only show the total population of the entity but also give breakdowns of population by various racial and ethnic categories for the entity as a whole and for each single-member district.

Census geography

These single-member population data are themselves derived from population data based on smaller geographical units. The Census Bureau divides geography into much smaller units called “census blocks.” In urban areas, these correspond roughly to city blocks. In more rural areas, census blocks may be quite large. Census blocks are also aggregated into larger sets called “voting tabulation districts” or “VTDs,” which often correspond to county election precincts.

For reasons concerning reducing the potential for *Shaw v. Reno*-type liability, discussed below, we recommend using VTDs as the redistricting building blocks where and to the extent feasible. In many counties this may not be feasible.

Census racial and ethnic categories

For the 2020 Census, the Census Bureau recognized over 100 combinations of racial and ethnic categories and collected and reported data based on all of them. Many of these categories include very few persons, however, and will not therefore have a significant impact on the redistricting process. The charts that accompany this report include only eight racial and ethnic categories that were consolidated from the larger set. The entire population of the entity is represented in these charts. These eight categories are the ones most likely to be important in the redistricting process.

The 2020 Census listed 6 racial categories. Individuals were able to choose a single race or any combination of races that might apply. Additionally, the Census asks persons to designate whether they are or are not Hispanic. When the Hispanic status response is overlaid on the different possible racial responses, there are over 100 possible different combinations. The Census tabulates each one separately.

If this information is to be usable, it must be combined into a smaller number of categories (of course, having the same overall population total). For purposes of analyzing Voting Rights Act Section 2 issues, discussed below, DOJ indicated in a guidance document issued on September 1, 2021, that it would use the following rules for determining Hispanic and race population numbers from the 2020 Census data:

- persons who selected “Hispanic” are categorized as Hispanic, no matter what race or races they have designated; all others will be classified as non-Hispanic of one or more races; *e.g.*, Hispanic-White and Hispanic-African-American are both classified as Hispanic;
- persons who did not select “Hispanic” and who designated a single race will be classified as members of that race; *e.g.*, White, African-American, Asian, etc.;
- persons who did not select “Hispanic” and who designated themselves as belonging to a single minority race and as White will be classified as members of the minority race; *e.g.*, Asian+White will be classified as Asian; and
- persons who did not select “Hispanic” and who designated themselves as belonging to more than one minority race will be classified as “other multiple race;” *e.g.*, White+Asian+Hawaiian or African-American+Asian. This category is expected to be small.

We will also consider data called “voting age population” (or “VAP”) data. It is similarly classified in eight racial and ethnic categories. This information is provided for the limited purpose of addressing some of the specific legal inquiries under the Voting Rights Act that are discussed below. Voting age population is the Census Bureau’s count of persons who identified themselves as being eighteen years of age or older at the time the census was taken (*i.e.*, as of April 1, 2020).

In addition to this population and demographic data, the entity will have access to additional information that may bear on the redistricting process, such as county road miles, facility locations, registered voter information, incumbent residence addresses, etc.

Section 2 of the Voting Rights Act – No Discrimination Against Minority Groups

Section 2 of the Voting Rights Act, 52 U.S.C. §10301, forbids a voting standard, practice, or procedure from having the effect of reducing the opportunity of members of a covered minority to participate in the political process and to elect representatives of their choice. In practical terms, this non-discrimination provision prohibits districting practices that, among other things, result in “packing” minorities into a single district in an effort to limit their voting strength. Similarly, “fracturing” or “cracking” minority populations into small groups in a number of districts, so that their overall voting strength is diminished, can be discrimination under Section 2. There is no magic number that designates the threshold of packing or cracking. Each plan must be judged on a case-by-case basis. Failure to adhere to such Section 2 standards could invite a challenge in court by a protected minority group or even by the Department of Justice.

In previous redistricting cycles, “preclearance” was required under Section 5 of the Voting Rights Act before a new plan (or any other change of any kind to voting standards, practices or procedures) could be implemented. Section 5 will not apply in the 2021

redistricting cycle, but as we discuss below, the Section 5 “retrogression” standard can be a useful tool to identify potential Section 2 issues with a proposed new plan.

The Supreme Court has defined the minimum requirements for a minority plaintiff to bring a Section 2 lawsuit. There is a three-pronged legal test the minority plaintiff must satisfy – a showing that: (1) the minority group’s voting age population is numerically large enough and geographically compact enough so that a district with a numerical majority of the minority group can be drawn (a “majority minority district”); (2) the minority group is politically cohesive, that is, it usually votes and acts politically in concert on major issues; and (3) there is “polarized voting” such that the Anglo majority usually votes to defeat candidates of the minority group’s preference. *Thornburg v. Gingles*, 478 U.S. 30 (1986). In the federal appellate Fifth Circuit, which includes Texas, the minority population to be considered is *citizen* voting age population. In certain cases, a minority group may assert that Section 2 requires that the governmental body draw a new majority minority district. The governing body must be sensitive to these Section 2 standards as it redistricts.

In considering changes to existing boundaries, a governmental entity must be aware of the location of protected minority populations within its single-member districts for the purpose of ensuring that changes are not made that may be asserted to have resulted in “packing,” or in “fracturing” or “cracking” the minority population for purposes or having effects that are unlawful under Section 2. The thematic maps included in Attachment B depict the locations of Hispanic and African-American (and if applicable, Asian) population concentrations by census block; they are useful in addressing this issue. Voting age population (VAP) data is useful in measuring potential electoral strength of minority groups in individual districts.

Shaw v. Reno Standards – Avoid Using Race as the Predominant Redistricting Factor

The modern era of redistricting began in the 1960’s when the Supreme Court determined that districting plans were subject to judicial review and that they must conform to one-person, one-vote principles. This was followed in short order by the passage of the Voting Rights Act in 1965, which along with the Fourteenth Amendment, required jurisdictions to ensure that districts were not racially discriminatory. Accordingly, to avoid liability in voting rights suits, governments were highly conscious of race when drawing districts and fashioned districts to reflect racial and ethnic housing patterns.

In 1993, the United States Supreme Court decided *Shaw v. Reno*, a case that contained a district that was so extremely irregular on its face that race was the predominant consideration in its creation to the exclusion of traditional districting principles and without sufficiently compelling justification. The Court held that the district was a racial gerrymander that violated the Equal Protection Clause of the Fourteenth Amendment.

The *Shaw* opinion subjects governmental bodies undertaking the redistricting process to a delicate balancing act. The governmental body must consider race when drawing districts if it is to comply with the requirements of the Voting Rights Act; however, if race is the

predominant consideration in the process, the governmental body may be subject to a racial gerrymandering claim.

Where racial considerations predominate in the redistricting process to the subordination of traditional (non-race-based) factors, the use of race-based factors is subject to the “strict scrutiny” test. To pass this test requires that there be a showing that (1) the race-based factors were used in furtherance of a “compelling state interest” and (2) their application be “narrowly tailored,” that is, they must be used only to the minimum extent necessary to accomplish the compelling state interest. Compliance with the anti-discrimination requirements of section 2 of the Voting Rights Act is a compelling state interest.

The following principles have emerged in the post-*Shaw* environment to guide the redistricting process:

- race may be considered;
- but race may not be the predominant factor in the redistricting process to the subordination of traditional redistricting principles;
- bizarrely-shaped districts are not unconstitutional *per se*, but the bizarre shape may be evidence that race was the predominant consideration in the redistricting process;
- if race is the predominant consideration, the plan may still be constitutional if it is “narrowly tailored” to address compelling governmental interest such as compliance with the Voting Rights Act; and
- if a plan is narrowly tailored, it will use race no more than is necessary to address the compelling governmental interest.

While race will almost always be a consideration, the better course, if possible under the circumstances, is that racial considerations not predominate to the subordination of traditional redistricting criteria, so that the difficult strict scrutiny test is avoided.

Adherence to the *Shaw v. Reno* standards will be an important consideration during the redistricting process. One way to minimize the potential for *Shaw v. Reno* liability is to adopt redistricting criteria that include traditional redistricting principles and that do not elevate race-based factors to predominance.

Section 5 of the Voting Rights Act – Preclearance and Retrogression

Preclearance will not be required

In prior redistricting cycles, Section 5 of the Voting Rights Act, 52 U.S.C. § 10304, required all “covered jurisdictions” identified in the applicable Department of Justice (DOJ) regulations to “preclear” any changes to voting standards, practices, or procedures before they

may become legally effective. Texas was a “covered jurisdiction,” so all local governments in the state, as well as the State itself, were required to preclear any voting change, including their redistricting plans. This included changes to any single-member district lines (including school board trustee district lines). Section 5 applied not only to changes in single-member district lines, but also to changes in election precincts and in the location of polling places. For counties, Section 5 applied not only to commissioners’ precincts, but also to JP and constable precincts, even though these latter are not subject to the one person-one vote requirement (since these are not “representative,” *i.e.*, “legislative” officials).

In the 2013 case *Shelby County v. Holder*, 133 S. Ct. 2612 (2013), the U.S. Supreme Court invalidated Section 4 of the Voting Rights Act until Congress corrected some deficiencies. This is the section that, in effect, defines which states and local jurisdictions are subject to Section 5 preclearance requirements. Congress has not made the required corrections, so Section 5 will not apply to any jurisdiction this redistricting cycle. Nonetheless, the legal standard applied to preclearance under Section 5, “retrogression”, can be useful to identify potential Section 2 discrimination issues in a proposed new districting plan.

Retrogression standard

In past redistricting cycles, Section 5 review involved considering whether a proposed new districting plan had a retrogressive effect. The issue is whether the net effect of the proposed new plan would be to reduce minority voters’ ability to elect their preferred candidates when the plan is compared to the prior benchmark plan. In other words, does the new districting plan result in a reduction of the minority group’s ability to elect?

To determine if retrogression exists, it is necessary to compare a proposed plan against a benchmark, typically the *prior* district boundary plan, but considered using the *new* 2020 Census population and demographic data.

Voting age population data (“VAP”) – the Census count of persons eighteen years of age or older at the time the Census was taken (*i.e.*, as of April 1, 2020). It is a measure of the number of people old enough to vote if they are otherwise eligible to do so. Since the retrogression inquiry focuses on whether a minority group’s overall voting strength has been reduced, and VAP is a more direct measure of voting strength than total population, VAP should be considered in the retrogression analysis, not just total population.

In combination with a balanced consideration of the other applicable redistricting criteria, the entity’s governing body will need to consider the effects of any changes to the benchmark measures that its proposed plan produces. Because of changes in population and the need to comply with one person-one vote principles, sometimes it may be impossible to avoid drawing a retrogressive plan. But if a proposed new plan is retrogressive, careful consideration should be given before adopting it.

Since retrogression was the test by which redistricting plans were measured under Section 5 of the Act and that section is no longer operative, retrogression is no longer the standard. Nevertheless, a jurisdiction that draws a plan that is retrogressive may increase the

chance that it will be sued under Section 2. Thus, it may be beneficial to avoid retrogression where possible even though the plan will not be required to be submitted to the Department of Justice for Section 5 review under that test.

Adoption of Redistricting Criteria

Adoption of appropriate redistricting criteria – and adherence to them during the redistricting process – is potentially critical to the ultimate defensibility of an adopted redistricting plan. Traditional redistricting criteria that the governing body might wish to consider adopting include, for example:

- use of identifiable boundaries;
- using whole voting precincts, where possible and feasible; or, where not feasible, being sure that the plan lends itself to the creation of reasonable and efficient voting precincts;
- maintaining communities of interest (*e.g.*, traditional neighborhoods);
- basing the new plan on existing districts;
- adopting districts of approximately equal population;
- drawing districts that are compact and contiguous;
- keeping existing representatives in their districts; and
- narrow-tailoring to comply with the Voting Rights Act and *Shaw v. Reno*..

There may be other criteria that are appropriate for an individual entity's situation, but all criteria adopted should be carefully considered and then be followed to the greatest degree possible. A copy of a sample criteria adoption resolution is provided as Attachment F. You may wish to include additional criteria; or determine that one or more on that list are not appropriate. We will discuss with you appropriate criteria for your situation.

Requirements for Plans Submitted by the Public

You should also consider imposing the following requirements on any plans proposed by the public for your consideration: (1) any plan submitted for consideration must be a complete plan, that is, it must be a plan that includes configurations for all districts and not just a selected one or several. This is important because, although it may be possible to draw a particular district in a particular way if it is considered only by itself, that configuration may have unacceptable consequences on other districts and make it difficult or impossible for an overall plan to comply with the applicable legal standards; and (2) any plan submitted for consideration must follow the adopted redistricting criteria.

ATTACHMENT D

GLOSSARY

GLOSSARY

Census blocks, census block groups, census VTDs, census tracts – Geographic areas of various sizes recommended by the states and used by the Census Bureau for the collection and presentation of data.

Citizen voting age population (CVAP) – Persons 18 and above who are citizens. This is a better measure of voting strength than VAP; however, the relevant citizenship data will need to be developed.

Compactness – Having the minimum distance between all parts of a constituency.

Contiguity – All parts of a district being connected at some point with the rest of the district.

Cracking – The fragmentation of a minority group among different districts so that it is a majority in none. Also known as “fracturing.”

Fracturing – *See* “cracking.”

Homogeneous district – A voting district with at least 90 percent population being of one minority group or of Anglo population.

Ideal population – The population that an ideal sized district would have for a given jurisdiction. Numerically, the ideal size is calculated by dividing the total population of the political subdivision by the number of seats in the legislative body.

Majority minority district – Term used by the courts for seats where an ethnic minority constitutes a numerical majority of the population.

One person, one vote – U.S. Constitutional standard articulated by the U.S. Supreme Court requiring that all legislative districts should be approximately equal in size.

Packing – A term used when one particular minority group is consolidated into one or a small number of districts, thus reducing its electoral influence in surrounding districts.

Partisan gerrymandering – The deliberate drawing of district boundaries to secure an advantage for one political party.

PL 94-171 – The Public Law that requires the Census Bureau to release population data for redistricting. The data file, referred to as “PL 94-171”, was supposed to be released by April 1, 2021, although due to technical issues it was not released until August, is reported at the block level, and contains information on:

- Total population
- Voting age population
- By Race
- By Hispanic origin

Racial gerrymandering – The deliberate drawing of district boundaries to secure an advantage for one race.

Retrogression – The Section 5 standard (not applicable in this redistricting cycle) that considered whether a proposed new districting plan made it less likely a protected minority group could elect candidates of the group’s choice.

Section 2 of the Voting Rights Act – The part of the federal Voting Rights Act that protects racial and language minorities from discrimination in voting practices by a state or other political subdivision.

Section 5 of the Voting Rights Act – The part of the federal Voting Rights Act that required certain states and localities (called “covered jurisdictions”) to preclear all election law changes with the U.S. Department of Justice (“DOJ”) or the federal district court for the District of Columbia before those laws may take effect. Not applicable this redistricting cycle.

Shaw v. Reno – The first in a line of federal court cases in which the U.S. Supreme Court held that the use of race as a dominant factor in redistricting was subject to a “strict scrutiny” test under the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. This case and the line of Supreme Court cases that follows it establishes that race should not be used as a predominant redistricting consideration, but if it is, it must be used only to further a “compelling state interest” recognized by the courts and even then must be used only as minimally necessary to give effect to that compelling state interest (“narrow tailoring”).

Spanish surnamed registered voters (SSRV) – The Texas Secretary of State publishes voter registration numbers that show the percentage of registered voters who have Spanish surnames. It is helpful to measure Hispanic potential voting strength, although it is not exact.

Total population – The total number of persons in a geographic area. Total population is generally the measure used to determine if districts are balanced for one person, one vote purposes.

Voting age population (VAP) – The number of persons aged 18 and above. DOJ requires this to be shown in section 5 submissions. It is used to measure potential voting strength. For example, a district may have 50 percent Hispanic total population but only 45 percent Hispanic voting age population.

Voter tabulation district (VTD) – A voting precinct drawn using census geography. In most instances, especially in urban areas, VTDs and voting precincts will be the same. In rural areas, it is more likely they will not be identical.

ATTACHMENT E
HYPOTHETICAL POPULATION DEVIATION CALCULATION

Hypothetical Population Deviation Calculation

Consider a hypothetical political subdivision with four districts and a total population of 40,000. The “ideal district” for this political subdivision would have a population of 10,000 (total population / number of districts). This is the target population for each district. The deviation of each district is measured against this ideal size.

Suppose the latest population data reveals that the largest district, District A, has 11,000 inhabitants. The deviation of District A from the ideal is thus 1000 persons, or 10 percent. Suppose also that the smallest district, District D, has 8000 inhabitants; it is underpopulated by 2000 persons compared to the ideal size. It thus has a deviation of –20 percent compared to the ideal size. The *maximum total deviation* is thus 30 percent. Since this is greater than the 10 percent range typically allowed by the courts for one person-one vote purposes, this hypothetical subdivision must redistrict in order to bring its maximum total deviation to within the legally permissible limits.

The following table illustrates this analysis:

<u>District</u>	<u>Ideal district</u>	<u>District total pop.</u>	<u>Difference</u>	<u>Deviation</u>
A	10,000	11,000	1000	+ 10.0 percent
B	10,000	10,750	750	+ 7.5 percent
C	10,000	10,250	250	+ 2.5 percent
D	10,000	8,000	- 2000	- 20.0 percent
Totals:	40,000	40,000	net= 0	net= 0 percent

Total maximum deviation = difference between most populous and least populous districts = 10 percent + 20 percent = 30 percent.

ATTACHMENT F
REDISTRICTING CRITERIA RESOLUTION

ILLUSTRATIVE REDISTRICTING CRITERIA RESOLUTION

(Here is an example of what the body of a resolution or ordinance adopting redistricting criteria might contain, but not including the footnotes. They are only included here by way of explanation to you of some of the criteria.)

The City Council will observe the following criteria, to the greatest extent possible, when drawing district boundaries:

1. Easily identifiable geographic boundaries should be followed.
2. Communities of interest should be maintained in a single district, where possible, and attempts should be made to avoid splitting neighborhoods.
3. Districts should be composed of whole voting precincts. Where this is not possible or practicable, districts should be drawn considering county election precincts. Avoid splitting census blocks unless necessary.
4. Although it is recognized that existing districts will have to be altered to reflect new population distribution, any districting plan should, to the extent possible, be based on existing districts.
5. Districts must be configured so that they are relatively equal in total population according to the 2020 federal census. In no event should the total population deviation between the largest and the smallest district exceed ten percent as compared to the ideal district size.
6. Districts should be compact and composed of contiguous territory. Compactness may contain a functional,¹ as well as a geographical, dimension.
7. Consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.
8. The plan should be narrowly tailored to avoid racial gerrymandering in violation of *Shaw v. Reno*.

¹ Functional compactness is a sometimes-controversial notion that has appeared in some cases. Basically, the concept is that compactness is not simply a matter of geography but can include considerations such as (1) the availability of transportation and communication, (2) the existence of common social and economic interests, (3) the ability of the districts to relate to each other, and (4) the existence of shared interests. We do not anticipate that we will rely heavily on functional compactness, but there may be instances in which it comes into play. For example, we might be able to draw a very geographically compact district by including land on both sides of a river. If, however, the nearest bridge is several miles away, our geographically compact district may not be functionally compact. Saying that compactness has a functional dimension gives us flexibility to address this type of situation.

9. The plan should not fragment² a geographically compact minority community or pack³ minority voters in the presence of polarized voting so as to create liability under the Voting Rights Act.

The Council will review all plans considering these criteria and will evaluate how well each plan conforms to the criteria.

Any plan submitted by a citizen to the Council for its consideration should be a complete plan — *i.e.*, it should show the full number of districts and should redistrict the entire city. The Council may decline to consider any plan that is not a complete plan.

All plans submitted by citizens, as well as plans submitted by staff, consultants, and members of the Council should conform to these criteria.

² Fragmenting or fracturing occurs when a geographically compact area of minority voters is split into two or more districts when, if the area had been put in a single district, minority voters would have had greater voting strength.

³ Packing refers to concentrating excessively large numbers of minority voters in a single district. For example, if a district is drawn to be 90 percent African-American, that group's influence may be limited to that single district when, if it had been split, the group might have had an opportunity to elect candidates of their choice in two districts.

ATTACHMENT G
REDISTRICTING GUIDELINES RESOLUTION

ILLUSTRATIVE REDISTRICTING GUIDELINES RESOLUTION

(Here is an example of what the body of a resolution or ordinance adopting redistricting guidelines for public participation might contain.)

The following guidelines are to be followed by each person submitting a redistricting plan for consideration or submitting comments:

1. Proposed plans must be submitted in writing and be legible. If a plan is submitted orally, there is significant opportunity for misunderstanding, and it is possible that errors may be made in analyzing it. The City Council wants to be sure that all proposals are fully and accurately considered.
2. Any plan must show the total population and voting age population for African-Americans, Hispanics, Asians, and Anglo/Other for each proposed district, based on the 2020 Census Data. If a plan is submitted without a population breakdown, the Council may not have sufficient information to give it full consideration.
3. Plans should redistrict the entire entity, so the Council may consider the effect of any plan on the entire city. All plans are subject to the Voting Rights Act, which protects various racial and language minorities. Thus, as a matter of federal law, the Council will be required to consider the effect of any proposal on multiple racial and ethnic groups. If a plan does not redistrict the entire [county, city, district], it may be impossible for the Council to assess its impact on one or more protected minority groups.
4. Plans should conform to the criteria the Council will be using in drawing the precincts.
5. Comments must be submitted in writing and be legible, even if the person also makes the comments orally at a public hearing.
6. Persons providing comments and those submitting proposed plans must identify themselves by full name and home address and provide a phone number and, if available, an email address. The Council may wish to follow up on such comments or obtain additional information about submitted plans.
7. All comments and proposed plans must be submitted to the City Council [by the close of / no later than __ days before] the public hearing.

This resolution shall be effective upon passage by the City Council.

ATTACHMENT H
SUGGESTED INITIAL ASSESSMENT AGENDA ITEM LANGUAGE

SUGGESTED INITIAL ASSESSMENT AGENDA ITEM LANGUAGE

Here is suggested language for the agenda item for receiving the Initial Assessment and for adopting the two suggested resolutions (criteria, guidelines).

Receive Initial Assessment regarding whether redistricting is required considering the new 2020 census data; and, if so, consider adoption of criteria to apply to development of new districting plans, and guidelines for public participation in the redistricting process.

If your practice is to specifically post executive session items, you may wish to use this language:

Executive Session. The City Council may go into executive session pursuant to Texas Government Code section 551.071 to receive advice from legal counsel regarding the City's redistricting obligations.

City of Georgetown, Texas
City Council Workshop
October 26, 2021

SUBJECT:

Overview, discussion and direction from City Council regarding the possible creation of an In-City Municipal Utility District (MUD) for the proposed Madison Tract -- Sofia Nelson, Planning Director

ITEM SUMMARY:

Background

BLAKE MAGEE COMPANY, LP is seeking to develop a project known as the Madison Tract. The Madison Tract is a property located in the northwest part of the city limits of Georgetown near the intersection of Ronald Reagan and SH 195 adjacent to Sun City and north of Shady Oaks. The proposed In-City MUD is approximately 486 acres in size. The property has frontage on SH 195 and will include a collector road system connecting SH 195 to Ronald Reagan Boulevard. From a land use prospective the proposed development will include the following:

- An extension of the Sun City Del Webb age-restricted development
- Conventional single family (non-age restricted)
- Commercial and multi-family

The following a land use break down of the proposed development:

Land Use	Acreage	Proposed Units
Multi-family	10.4	208 units
Condo Townhouse	26.8	188 units
Single Family Residential (Non-Age Residential (developer identified as Multi-Generational Residential)	159.5	718 units
Single Family Age Restricted (Del Webb)	117.2	469 units
Residential Total	313.9 units	1583 units
Commercial	25.7 acres	
Public Parkland	5.5 acres	
Amenity Center	4.0	
Open Space	92.3	

MUD Policy Evaluation

The purpose of this presentation is to discuss whether or how Blake Magee Company, LP's request for a MUD is consistent with the City's July 24, 2018 MUD Policy and whether the City Council believes that staff should move forward to negotiate a Consent Agreement and other agreements related to the proposed project.

Policy	Complies with MUD Policy	Does Not Comply with MUD Policy	Partially Complies	Notes
<u>MUD Policy 1.A.1</u> <u>Quality Development -</u> The development meets or exceeds the intent of the development, infrastructure, and design standards of City codes;	X			The proposal takes steps to exceed minimum single-family design standards through the following ways: exterior material commitment, lot diversity, development standards for collector level requirements, and additional funding for traffic signals as warranted based on TIA beyond pro-rata share. No reductions in UDC standards are being requested at the

				moment.
<u>MUD Policy 1.A.2</u> <u>Extraordinary Benefit:</u> The development provides extraordinary public benefits that advance the vision and goals of the Comprehensive Plan, such as, but not limited to, extension, financial contribution, and/or enhancement of master planned infrastructure, diversity of housing, and enhanced parks, trails, open space, and recreational amenities that are available to the public;	X			<p>The applicant is committing to a diversity in housing product as well as diversity within the single-family housing product. Both Water and Wastewater lines will be extended from offsite locations to the property based on the current City water and wastewater master plan. There are two Proposed 24” water line extensions to provide water service to the Madison Tract estimated at 10,000 LF and offsite connection to an 18” wastewater line in Berry Creek</p>
<u>MUD Policy 1.A.3.</u> <u>Enhance Public Service and Safety</u> The development enhances public services and optimizes service delivery through its design, dedication of sites, connectivity, and other features.			X	<p>The development is not proposing to dedicate additional site for public safety facilities. The applicant will meet all street connectivity standards and has been thoughtful in identifying proposed connections to existing neighborhoods.</p>
<u>MUD Policy 1.A.4City Exclusive Provider .</u> The development further promotes the City as the exclusive provider of water, sewer, solid waste, and electric utilities;			X	<p>The project is located within the existing City limits with water and wastewater provided by the City. PEC is the provider of electric Service</p>
<u>MUD Policy 1. A.5.</u> <u>Fiscally Responsible.</u> The development is financially feasible, doesn’t impair the City’s ability to provide municipal services, and would not impose a financial burden on the citizens of Georgetown in the event of annexation;	X			
<u>MUD Policy 1.A.6.</u> <u>Finance Plan.</u> The developer(s) contributes financially to cover a portion of infrastructure	X			

expenses without reimbursement by the MUD or the City and as reflected in conditions placed on the issuance of bonds by the district				
MUD Policy 1.A.7. Annexation. The development will not impair the City's future annexation of the MUD or adjacent property or impose costs not mutually agreed upon.	X			The proposed development is located within the City limits.
POLICY 2: Provide examples of "unique factors justifying [MUD] creation or amendments" to guide determinations made in the UDC			X	The proposed plan for development will allow this property to be developed in a master planned approach that will help to provide a unified vision for parks, connectivity, and utilities. The uniqueness of this property is not in location or site features as we have seen in past MUD requests. The uniqueness is largely the history of the property. This property has tried to be developed numerous times since 2006 and has expired preliminary plans, an expired final plat, and a few other entitlements. Unfortunately, none of these plans have come to fruition due to the location of the tract, proximity to utilities and offsite infrastructure costs. Additionally, the developer is proposing to construct approximately 2 miles of 24" waterline. These waterlines are oversized for the Project and will benefit future developments along Ronald Reagan and Hwy 195. The 24" waterline is shown on the City's May 2018 Water Master Plan.
POLICY 3: Address provision of public services, and address public safety matters in the Consent Agreement			X	The proposed property is already located within the City of Georgetown City limits with Police, Fire and EMS provided by the City of Georgetown. The Developer Agrees to Pay \$630 SIP fee per lot to the City of Georgetown with each building permit issued for each single-family residential home.
POLICY 4: Address utility service issues, and include those utility service provisions in the Consent Agreement			X	The proposed development will be consistent with the Utilities Master Plan. Water and sewer service will be served by the City of Georgetown and electric will be served by PEC. The developer will be responsible for relocation of existing infrastructure needed for the development. The developer will pay water and wastewater impact fees with

				<p>building permits and also requests the option to pay the impact fees early at time of final plat recordation.</p> <p>Opportunities for full compliance with policy include:</p> <p>Require specific water conservation techniques that will be used to minimize demand levels including xeriscaping, low impact development ("LID"), rainwater harvesting, grey water reuse and other strategies in consultation with GUS.</p>
POLICY 5: Specify the amount of debt intended to be issued, the purpose of the debt, and the debt service schedule, and include those financial provisions in the Consent Agreement	X			<p>· Bonds to be issued will not exceed \$40,000,000.</p> <p>· Bond Maturity 25 years from date of issuance.</p> <p>· Bond Issuance Period from initial bonds issued – 10 years.</p> <p>· District Tax rate maximum of \$.55/100.</p> <p>· Bonds may be issued to finance water, wastewater, storm drainage and recreational facilities and refunding bonds.</p> <p>2021 Tax Rate City – \$ 0.418; Williamson County - \$0.418719; WMSN Co FM/Rd – \$0.04; Jarrell ISD - \$1.4266 Total Current Tax Rate Without MUD = \$2.30/100 Total Proposed Tax Rate with MUD - \$2.85/100</p>
POLICY 6: Address future municipal annexation of the MUD, when located in the ETJ				n/a
POLICY 7: Require development in a MUD to exceed minimum UDC land use and development standards, and address the land use provisions in the Consent Agreement or related agreement			X	<p>The proposed MUD will be accompanied by a PUD that will establish single family development standards, enhancements to collector level roadways and common landscaping, use restrictions on commercial sites. The MUD policy establishes the following provisions for age restricted developments: Age restricted developments shall not exceed 10% of the net developable land area and 10% of the total housing units within the MUD.</p> <p>The proposed development offers approximately 29% of units as age restricted homes.</p>
POLICY 8: Require development in a MUD to exceed UDC parkland requirements (not just meet UDC standards or less than UDC standards),			X	<p>This project will provide 5.5-acre public park within project with an estimated cost of \$735,000 public park improvements in the park.</p> <p>Pay approximately \$774,000 into the city parkland development fee fund for public</p>

and address parkland provisions in the Consent Agreement				parks improvements based on the Del Webb portion of the project. The developer will be responsible for installation and maintenance of park facilities improvements. Staff is still evaluating an 11-acre passive open space adjacent to existing 27acre karst preserve dedicated to the Williamson County Conservation Plan for suitability for parkland dedication.
POLICY 9: Address transportation issues and include transportation provisions in the Consent Agreement		X		A TIA will be required for this development. There are no OTP roadways within this proposed development. The applicant is providing an enhanced streetscape along the neighborhood collector roadway connecting SH 195 and Ronald Reagan. Additionally, the applicant has agreed to fund traffic signals along SH 195 above the minimum pro-rata share should they be warranted. Opportunities to for full compliance with this policy include: - Encourage increased connectivity, reduced cul-de-sacs, short block lengths, additional stub outs to adjacent properties. - Require creative stormwater management and water quality solutions to be provided such as low impact development ("LID") to minimize any downstream impacts
POLICY 10: City Operations Compensation Fee				The Project is within the city limits and Policy 10 is not applicable.

Requested Feedback from the Council: Staff is seeking Council's feedback and direction on whether to pursue an In-City Municipal Utility District (MUD) for the development currently known as the Madison tract.

- Does Council support an In-City MUD under terms as presented?
- Does Council have comments on the proposed Land Use Plan?

FINANCIAL IMPACT:

Proposed Financial Terms (based on estimated assessed values)

Facilities Bonds may be issued to finance: Water, Wastewater, Drainage, Roads, Recreational Facilities, and associated fees

SUBMITTED BY:

ATTACHMENTS:

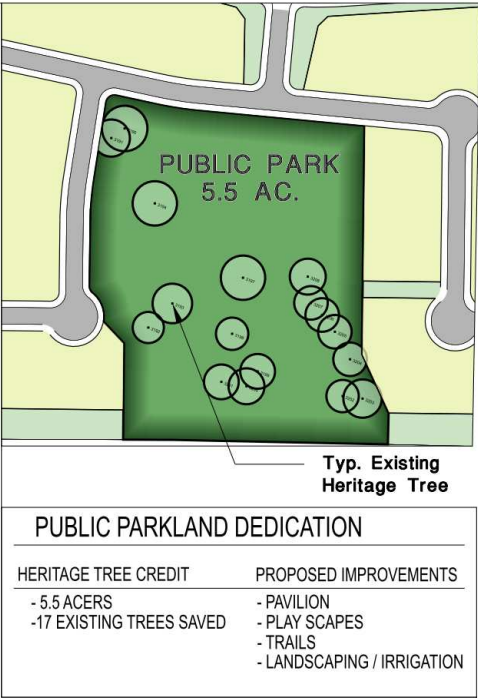
Concept Plan

Applicant prepared term sheet

PARKLAND SUMMARY

Land Use	Area	Projected Units
Multi-Family Residential	10.4 acres	208 units
Condo Townhouse Residential	26.8 acres	188 units
Multi-Generational Residential	159.5 acres	718 units
Del Webb Residential	117.2 acres	469 units
Residential Total:	313.9 acres	1,583 units
Commercial	25.7 acres	
Public Parkland	5.5 acres	
Private Amenity Center	4.0 acres	
Major Right of Way	23.6 acres	
Detention	21.3 acres	
Open Space*	92.3 acres	
Total:	486.3 acres	
10' Concrete trial	6,590 LF	

*Includes roadway buffers, drainage and open space



BLAKE MAGEE COMPANY, LP (BMCO)
MADISON TRACT IN-CITY MUD PROJECT
1011 N. LAMAR BOULEVARD
AUSTIN, TEXAS 78703

The Madison Tract Project (“Project”) is in the northwestern part of the city limits of Georgetown near the intersection of Ronald Reagan and SH 195 adjacent to Sun City and north of Shady Oaks. The Madison Tract has tried to be developed numerous times since 2006 and has expired preliminary plans, an expired final plat, and a few other entitlements. Unfortunately, none of these plans have come to fruition due to the location of the tract, proximity to utilities and expensive offsite infrastructure costs. The only way this tract is financially feasible to develop is by creating a MUD to offset the expensive offsite infrastructure costs required to serve the Project. This project has a lot of similarities to the Parkside on the River project that BMCO recently entitled and is currently developing. The land formerly known as Water Oak (now called Parkside on the River) had been struggling for almost two decades and the project needed to be financially restructured to be able to build a successful master planned project that mutually benefited the city, residents, and the developer. BMCO has a proven track record to be able to put together difficult projects that are successful, buildable, financially viable for all parties involved and exceeds the city requirements. The Madison project is a simpler and a smaller scale project compared to Parkside on the River, but it will take similar components and project structure to be able to develop this into a successful masterplan project.

The city adopted a MUD policy dated 7/24/18 that states The City of Georgetown finds that the purpose of a Municipal Utility District (MUD) is to assist in closing the financial gap when a development is seeking to exceed minimum City standards, provide a robust program of amenities, and/or where substantial off-site infrastructure improvements are required that would serve the MUD and surrounding properties.

This is specifically why the Madison tract has not been able to be developed to date because of the substantial offsite infrastructure improvements. As it relates to City standards, BMCO developments always exceed the minimum City standards in many areas. Some examples where our projects typically exceed minimum requirements are masonry requirements, landscaping requirements, subdivision wall requirements, signage, entry monumentation, amenities, size and quality of parks, trail systems and quality of our homes builders in our communities.

MADISON TRACT IN-CITY MUD TERM SHEET

POLICY 1: Basic Requirements for Creation of MUDs (Language from City MUD Policy)

MUDs are an appropriate tool to allow urban level density neighborhoods in locations supported by the 2030 Comprehensive Plan within the city limits. The City may alternatively consider Extraterritorial Jurisdiction (ETJ) MUDs where the City may annex the property in the future. Before consenting to the creation of a district, the City Council should consider whether the creation of the district is feasible, practicable, and necessary for the provision of the proposed services and would be a benefit to the land, and therefore warrants the City’s consent, consistent with the other considerations in this policy.

A. *The City’s basic requirements for creation of a MUD shall be that:*

1. *Quality Development. The development meets or exceeds the intent of the development, infrastructure, and design standards of City codes; - This Madison project will meet or exceed the city design standards.*
2. *Extraordinary Benefits. The development provides extraordinary public benefits that advance the vision and goals of the Comprehensive Plan, such as, but not limited to, extension, financial contribution, and/or enhancement of master planned infrastructure, diversity of housing, and enhanced parks, trails, open space, and recreational amenities that are available to the public;*

3. Enhance Public Service and Safety. The development enhances public services and optimizes service delivery through its design, dedication of sites, connectivity, and other features.
4. City Exclusive Provider. The development further promotes the City as the exclusive provider of water, sewer, solid waste, and electric utilities;
5. Fiscally Responsible. The development is financially feasible, doesn't impair the City's ability to provide municipal services, and would not impose a financial burden on the citizens of Georgetown in the event of annexation;
6. Finance Plan. The developer(s) contributes financially to cover a portion of infrastructure expenses without reimbursement by the MUD or the City and as reflected in conditions placed on the issuance of bonds by the district;
7. Annexation. The development will not impair the City's future annexation of the MUD or adjacent property or impose costs not mutually agreed upon.

Policy 1 - The Madison Tract ("Project") was previously annexed into the City and is located at the northern end of the City Limits. Approximately 490 acres are proposed to be included in the In-City MUD. The current owner is retaining approximately 35 acres of commercial and multi-family along Ronald Reagan Boulevard and this land will not be included within the MUD. The Project has frontage on SH 195 and is adjacent to the commercial and multi-family land retained by the current owner that has frontage on Ronald Reagan. The project will include a collector road system that will connect SH 195 to Ronald Reagan Boulevard.

Project Highlights:

- The Project represents a comprehensive master planned community with mixed uses: commercial, multi-family, and diverse housing product including garden homes/condos, age restricted single family and multi-generational single-family lots (40'-70'). This tract currently includes zoning for high density multifamily. We are proposing to revise the high-density multifamily acreage to low density multifamily that would include attached and detached townhomes and condos.
- The Project will include one amenity center on a minimum of Three (3) acres of land. The Amenity Center for the Multi-Generational lots will have a minimum improvement cost of \$1,250,000 which includes \$250,000 in public improvements on the amenity center site. See attached Concept G for parkland and amenity center location.
- Both Water and Wastewater lines will be extended from offsite locations to the property based on the current City water and wastewater master plan. There are two Proposed 24" water line extensions to provide water service to the Madison Tract estimated at 10,000 LF and offsite connection to an 18" wastewater line in Berry Creek. The 24" water transmission costs are estimated to be \$3,200,000 bore solely by the developer.
- Developer to construct turn lane improvements and traffic signals as warranted based on TIA requirements with an estimated cost of \$1,300,000 paid for by the developer.

POLICY 2: Provide examples of "unique factors justifying [MUD] creation or amendments" to guide determinations made in the UDC (Language from City MUD Policy)

Consistent with past Council actions, require the construction of specific regional infrastructure improvements consistent with the City's comprehensive plan and master plans and that are beneficial to the City. Examples include:

- a. *The acceleration of master planned public infrastructure improvements, including but not limited to, wastewater interceptors, treatment plants, and major transportation improvements, that not only provide a benefit to the developed property, but also to other surrounding properties.*

- b. Conservation subdivision design that clusters development in low impact areas and maintains existing topography, scenic views, natural drainage flows and wildlife habitat.*
- c. Regional trail connections located across the development, as well as off-site, to fill in gaps in the City and County trail system.*

Policy 2. Unique Factors

- a) We are proposing to Construct approximately 2 miles of 24" waterline at the sole cost of Project. These waterlines are oversized for the Project and will benefit future developments along Ronald Reagan and Hwy 195. This 24" waterline is shown on the City's May 2018 Water Master Plan and will be constructed early without cost participation by the city. The project only requires a 16" waterline and MUD reimbursement will only be for the 16" portion of the waterline. The upsizing of the line will be a cost bore solely by the project. The 24" Waterline project cost is approximately \$3,200,000 and the project cost is estimated at \$2,200,000. An additional \$1,000,000 in water infrastructure costs bore solely by the developer as a benefit to the city.
 - There will be intersection and turn lane improvements constructed on Ronald Reagan with the Project to provide safe turning movements into the Project as well as transportation improvements along SH 195 that will be the sole cost of the project. Estimated cost for improvements are approx. \$1,300,000. Project prorata share is approximately \$300,000 based on TIA requirements. Additional \$1,000,000 in transportation improvements built by developer as a benefit to the city.
- b&c) The Project includes approximately 100 acres (20% of Project) of open space and parkland with several miles of landscaped parkways and stone walls along all collector roads. Trails will be constructed along the collector road system and along Berry Creek connecting the Del Webb product to Sun City to the west of the Project.
- In addition to access to Berry Creek greenbelt and open spaces, 27 acres of Karst Preserve has been previously dedicated to Williamson County and an additional 11.4 acres of passive parkland easement will be dedicated to the Williamson County Conservation Plan that is adjacent to the 27-acre Karst Preserve.
 - This project will provide 5.5-acre public park within project with an estimated cost of \$735,000 public park improvements in the park.
 - Provide public park improvements with an estimated cost of \$250,000 on private amenity center within project.
 - Pay approximately \$774,000 into the city parkland development fee fund for public parks improvements based on the Del Webb portion of the project.

POLICY 3: Address provision of public services, and address public safety matters in the Consent Agreement (Language from City MUD Policy)

- a. Require MUD to provide facilities to enhance public services and optimize locations for service delivery.*
- b. Require donation of land to City or ESD (as applicable) for new fire station or other public safety facility as determined by the City.*
- c. If the City provides fire protection services within the MUD, require payment of Fire SIP fee (or similar fee) to fund fire station construction and operations.*

- d. *Require roadway design to enhance access and reduce response times to properties located outside of the MUD.*
- e. *If located outside of the City Limits, then the MUD consent agreement may, at the City's discretion, include an interlocal agreement ("ILA") to contract with the City of Georgetown for fire, police, and solid waste services on terms acceptable to the City.*
- f. *An ETJ MUD may provide a maintenance program approved by the City's Transportation Department that is consistent with City standards and should include appropriate consultation with the County Engineer.*

Policy 3. Public Safety

- The property is already located within the City of Georgetown City limits with Police, Fire and EMS provided by the City of Georgetown and ESD.
- BMCO will pay the \$630 SIP fee per lot to the City of Georgetown with each building permit issued for each single-family residential home.
- The Project will provide safe connectivity to the Shady Oaks Subdivision in three (3) different locations with the connection to Shady Oak Drive from a residential collector (not main collector) road to discourage cut through traffic from Project thru Shady Oaks Drive.

POLICY 4: Address utility service issues, and include those utility service provisions in the Consent Agreement (Language from City MUD Policy)

- a. *Require all utility facilities that service the MUD to be consistent with the Utilities Master Plan.*
- b. *Require of the MUD that the City be the water, sewer and electric service provider where it is located within the city's single or multiple certificated service area.*
- c. *Require the cost to relocate any existing utility infrastructure to be borne by the developer and/or MUD, not the City.*
- d. *Limit cost-sharing on MUD off-site improvements to only those circumstances where the necessity for the improvement is so great that limited CIP funds are appropriate for overall system wide improvements that benefit multiple properties (i.e., regional improvements that the City can afford to participate in).*
- e. *Address water and wastewater rates. Generally, rates for in-City MUD customers should be the same as the rates for other in-City customers, and the rates for ETJ MUDs customers should be the same as for other out of City customers.*
- f. *Require specific water conservation techniques that will be used to minimize demand levels including xeriscaping, low impact development ("LID"), rainwater harvesting, grey water reuse and other strategies in consultation with GUS.*
- g. *Require all MUDs and their residents, whether in the City or in the ETJ, to comply with City of Georgetown water conservation and drought contingency plan-related ordinances.*
- h. *For all MUDS, require impact fees to be assessed at the time of final plat approval [note: Impact fee payments are eligible for reimbursement by the MUD]. For ETJ MUDS, require payment of impact fees at the time the final plat is approved. For in-City MUDS, require payment of impact fees no later than the time of building permit issuance. However, utility capacity reservation shall not occur until impact fees are paid.*

- i. *Address rates, treatment capacity, utility and other easements necessary for City services, capacity for dwelling units, gallons per day usage for water and wastewater, water, wastewater and electric infrastructure, permitting and design, and fiscal surety.*

Policy 4. Utility Service

- The Project is located within the existing City limits with water and wastewater provided by the City.
- PEC is the electric provider for this service area.
- The projected number of water and wastewater LUE's estimated at 2,000.
- Offsite wastewater lines will be required to provide service to the Project. There is an existing 18" wastewater interceptor in Berry Creek within the Sun City Development. 15" and 12" wastewater lines will be extended to the north towards Ronald Reagan and to the east to provide wastewater service for the land along SH 195. A lift station will be required to service the commercial and multifamily tracts along SH 195.
- Based on the current City Water Master Plan, there are proposed extensions of 24" water lines to and across the frontage of the Project on Ronald Reagan Boulevard and SH 195.
- The 24" water line extension along Ronald Reagan from Sun City Boulevard to the Project is approximately 5,700 LF and the 24" water line extension along SH 195 from Shady Oaks is approximately 4,300 LF. (BMCO to pay for the 24" oversized line at sole cost).
- BMCO will pay water and wastewater impact fees with building permits and also requests the option to pay the impact fees early at time of final plat recordation.

POLICY 5: Specify the amount of debt intended to be issued, the purpose of the debt, and the debt service schedule, and include those financial provisions in the Consent Agreement (Language from City MUD Policy)

- a. *Require a maximum bond issuance amount and schedule, including refunding bonds issued by the district, unless otherwise agreed to by the City, to comply with the following requirements, provided such requirements do not generally render the bonds unmarketable:*
 1. *Maximum maturity of 25 years for any one series of bonds; and*
 2. *The last Bond issuance shall be not later than the date that is ten (10) years after the date of the first Bond issuance.*
- b. *Require all City property and land to be exempted from all MUD taxes, assessments, charge, fees and fines of any kind.*
- c. *Establish a maximum tax rate of \$0.55/\$100 of assessed valuation for in-city MUDs and a maximum tax rate of \$0.95/\$100 of assessed valuation for ETJ MUDs.*
- d. *Limit debt issuance to capital infrastructure and related costs, for in-city and ETJ MUDs; on and off-site water and wastewater infrastructure; stormwater infrastructure; roads, bridges, and related transportation infrastructure; and parks, trails, and recreational facilities.*
- e. *To the extent possible, debt should be structured to retire nonresidential lands first so they can be annexed, if an ETJ MUD. Where multiple MUDs are established for a large project, nonresidential lands should be included in the first MUD created.*
- f. *A table summarizing the overlapping tax rate of all existing taxing entities (city, county, school district, MUD, ESD, etc.) and the proposed MUD tax, demonstrating the total anticipated tax rate over the life of the MUD.*

Policy 5. Debt

- Project to create one In-City Municipal Utility District.
- Bonds to be issued \$40,000,000.
- Bond Maturity 25 years from date of issuance.
- Bond Issuance Period from initial bonds issued – 10 years.
- District Tax rate maximum of \$.55/100.
- Bonds may be issued to finance water, wastewater, storm drainage and recreational facilities and refunding bonds.

2021 Tax Rate

City –\$ 0.418; Williamson County - \$0.418719; WMSN Co FM/Rd – \$0.04; Jarrell ISD - \$1.4266

Total Current Tax Rate Without MUD = \$2.30/100

Total Proposed Tax Rate with MUD - \$2.85/100

POLICY 6: Address future municipal annexation of the MUD, when located in the ETJ (Language from City MUD Policy)

- Allow the City to set rates for water and/or sewer services for land that is in the MUD at the time of annexation that are different from rates charged to other areas of the City consistent with the provisions of Section 54.016(h) of the Water Code to compensate city for assumption of MUD debt.*
- This section shall apply to a District created as an ETJ MUD that is annexed into the city limits. At the City's option, a "limited district" may be continued in existence after annexation to maintain amenities or services beyond what the City typically provides for neighborhoods similarly situated. In such cases an ETJ MUD shall enter into a SPA stating conditions on which MUD will be converted to a limited district that will continue to exist following full purpose annexation. Concurrently with the MUD's confirmation election, the MUD shall hold election on proposition to levy an O&M tax per Section 49.107 of the Water Code to provide funds to operate the limited district following full purpose annexation by the city; the MUD shall have no right to issue bonds until proposition to levy an O&M tax is approved.*

Policy 6. Future Annexation

- Project is already annexed into the City limits.

POLICY 7: Require development in a MUD to exceed minimum UDC land use and development standards, and address the land use provisions in the Consent Agreement or related agreement (Language from City MUD Policy)

- Require higher development and design standards for residential and nonresidential land uses to promote a superior development. Examples include, but are not limited to:*
 - Enhanced architectural standards; such as higher percentages of masonry on exterior walls and variations in floor plans; and*
 - Improved materials for signage, such as masonry bases.*
- Age restricted developments shall not exceed 10% of the net developable land area and 10% of the total housing units within the MUD.*

- c. *Prohibit certain other land uses such as Correctional Facility; Personal Services Restricted as defined the Unified Development Code, Chapter 16, of Title 17 of the Georgetown City Code of Ordinances, and others as determined by City Council.*
- d. *Ensure the City will benefit financially from commercial/retail land uses in developments with ETJ MUDs.*
 - i. *All efforts should be made to exclude commercial/retail land area from an ETJ MUD in favor of full-purpose annexation, or a SPA should be required allowing the City to collect sales taxes from the area.*
 - ii. *The Strategic Partnership Agreement should provide that the City is entitled to receive up to 100% of the sales taxes collected, and that none of those taxes should be shared with the MUD unless special circumstances exist.*
 - iii. *City should retain site plan review to current City standards for uses other than one- and two-family residential uses.*
- e. *Require a diversity of housing offered within the district that is consistent with the Future Land Use Plan.*
- f. *Require public school location(s) to be provided, if desired by the applicable School District. Location(s) of school sites should be in a central, walkable location within a residential neighborhood away from a collector or arterial roadway identified in the Overall Transportation Plan (OTP).*
- g. *Require a land use plan to be attached to the Consent Agreement, and require major amendments to a MUD land use plan be reviewed by the Planning & Zoning Commission and approved by the City Council.*
- h. *Require all in-City MUDs to submit a Planned Unit Development Application and all ETJ MUDs to submit a Development Agreement Application, concurrent with the development of a consent agreement, to memorialize development standards.*

Policy 7- Exceed Minimum UDC Land Use and Development Standards

A PUD will be created to specify the development standards for the Project. Consistent with the creation of a true master plan community, the Project will contain Commercial, Multi-Family and several diverse housing opportunities:

1. Commercial Uses:
 - 15-20 acres of Commercial and Multi Family is planned and zoned located on 2 sites located along both Ronald Reagan Boulevard and SH 195 at the intersection of the Madison Collector Road System. Current master plan shows 22.5 acres on SH 195 is proposed to be reduced to 16.1 acres. The balance shall be converted to attached and detached Condos/Townhomes.
2. Residential Uses:
 - 35 acres of multi-Family is planned and zoned for 20 units to the acre on 2 sites located along both Ronald Reagan Boulevard and SH 195. BMCO would like to decrease the higher density multifamily to lower density multi-family on the site located on SH 195 for product with a maximum density of 12 units to the acre. Proposed product at 12 units to the acre may consist of condo or townhomes.
 - Approximately 1,500 single family lots are planned with multiple lot sizes ranging from 40' to 70' Lots.
 - Approximately 25% of the lots developed will be incorporated into the existing Sun City Del Webb age restricted product. The Del Webb lots will range from 42' to 65'.

Walls and Fences:

- Any fence on lots that faces a residential street shall be constructed so that the street facing side of the fence faces the street and is capped and stained. Fences on corner lots shall be located 18' from the back of curb.
- All fences on lots abutting or adjacent to greenbelt, open space or critical environmental features shall be decorative metal/wrought iron. All Metal or wrought iron shall be 6' tall with no gates permitted into the open space.
- A minimum of a 6'4" rock masonry wall shall be provided along all collector roads adjacent to all single-family lots. Maintenance of the rock walls shall be the responsibility of the MUD. The walls will be built within a minimum of a 10' landscaped lot adjacent to all collector roads.

Common Landscaping:

- Collector Road landscape buffer: A minimum 10' landscape lot/buffer will be adjacent to all collector roads within the Project. Minimum tree planting with the landscape lots/buffer shall be consistent with current city code. In addition, a minimum of 2- 3" trees will be planted on every single family standard lot and a minimum of 4- 3" trees will be planted on every single family corner lot.
- Landscape medians/islands: Trees and vegetation shall be permitted within the median and islands of public Right-of-way. The developer/HOA will enter into a License agreement with the City.
- Tree Preservation Standards meet or exceed current city landscaping ordinance.

Project Marketing and Permanent signage:

- Please see attached exhibits from Parkside on the River. All sign standards to be incorporated into the Project standards with specific sign location exhibit to be prepared later.

Architectural standards for single-family residential:

(a) Exterior Material Treatment:

- a. At least 85% of the exterior surface area of all front elevations, all street facing elevations, and all elevations facing public/private parkland shall consist of brick, stone, or stucco (exclusive of windows, doors or other openings);
- b. The side and rear elevations not facing a public right-of-way shall consist of at least 50% brick, stone or stucco on the first floor (exclusive of windows, doors or other openings) and brick, stone, stucco or cement based siding on the second floor; and
- c. Street facing side of homes that back onto or are adjacent to arterial roads or residential collectors shall consist of 85% brick, stone or stucco on street facing side (exclusive of windows, doors or other openings).

(b) Front Elevation Features. At least a minimum of two (2) of the following design options shall be incorporated into front elevations and included on the architectural plans submitted for building permits:

- a. Covered front porch or patio with a minimum size of 60 square feet;
- b. A garage door recessed from the primary front facade a minimum of two feet (2'-0") for garage doors that face the front street;
- c. Enhanced garage door materials (wood, ornamental metal, decorative door, window inserts and hardware, painted or stained to match house);
- d. Shed roof or trellis (at least 18" deep) above the garage door;
- e. A combination of at least two roof types (e.g. hip and gable) or two (2) different roof planes of varying height and/or direction;
- f. Two (2) or more masonry finishes to compliment the architectural style of the home; or
- g. The addition of one or more dormers on the front elevation to compliment the architectural style of the home.

Roof overhang of 18" permitted within side setback.

POLICY 8: Require development in a MUD to exceed UDC parkland requirements (not just meet UDC standards or less than UDC standards), and address parkland provisions in the Consent Agreement ((Language from City MUD Policy)

- a. *Require a park or series of parks open to the general public within the MUD in the size and location approved by the Parks and Recreation Board.*
- b. *Require installation and maintenance of park facilities improvements.*
- c. *Require maintenance access to be provided, when needed.*
- d. *Require connections to regional trail network and adjacent uses such as schools.*
- e. *Require regional trail network to be a minimum of 10 feet in width.*
- f. *Require usable trailheads with off-street parking and ADA compliant trails.*

- g. Require financial contributions to regional park facilities such as Westside Park or Garey Park (depending on the location of the MUD).*
- h. Prohibit roads through parkland in a manner that subtracts from net usable park land.*
- i. Require provision of security and maintenance program.*
- j. Require protection and perpetuation of unique features on a particular site that should be maintained as open space whether for environmental, conservation or scenic views.*

Policy 8 – Exceed Minimum UDC Parkland requirements:

As shown on the proposed Master Plan, the Project significantly exceeds the required open space, parkland, trails and private amenities required by the UDC.

Trails and Public and Private open space/parkland and Amenities:

- Master Plan includes over 100 acres of open space and parkland with access to Berry Creek.
- 11.4 Acre passive open space easement adjacent to existing 27acre Karst Preserve will be dedicated to the Williamson County Conservation Plan.
- One private planned amenity center on a minimum of 3 acres of land. Amenity Center site will have a minimum of \$250,000 of public Improvements consisting of one or more of the following: benches, grills, playscapes and active play areas, pavilions, trails and trail access and landscape enhancements. The Amenity Center for the Multi-Generational project will cost over \$1,250,000.
- A proposed 6' concrete trail will be built along all the collector roads adjacent to a minimum of a 10' landscape lot adjacent to all collector road ROW's.
- This project will provide 5.5-acre public park within project with an estimated cost of \$735,000 public park improvements in the park.
- Pay approximately \$774,000 into the city parkland development fee fund for public parks improvements based on the Del Webb portion of the project.

POLICY 9: Address transportation issues and include transportation provisions in the Consent Agreement (Language from City MUD Policy)

- a. May require completion of a Traffic Impact Analysis (TIA) and construction and/or funding of both on- and off-site improvements identified in the TIA, including roadways identified in the City's Overall Transportation Plan (OTP), pursuant to Section 12.09 of the UDC*
- b. Require dedication of right-of-way, inclusion of bike lanes, sidewalks, and aesthetically- pleasing streetscapes consistent with the OTP and City street design standards.*
- c. Require residential subdivisions to be designed with increased connectivity, reduced cul-de-sacs, short block lengths, additional stub outs to adjacent properties, except where developed as a conservation subdivision pursuant to Chapter 11 of the UDC.*
- d. Require creative stormwater management and water quality solutions to be provided such as low impact development ("LID") to minimize any downstream impacts.*

Policy 9 – Transportation Issues:

- Over 3 miles of Collector Roads to be constructed by the Project with 70' ROW connecting Ronald Reagan Boulevard to SH 195.

- Connections to existing Shady Oak Drive provided secondary access for the residents and connectivity to the Shady Oaks Development.
- Project to prepare TIA to identify any safety improvements required on Ronald Reagan Boulevard and SH 195. There will be intersection and turn lane improvements constructed on Ronald Reagan with the Project to provide safe turning movements into the Project as well as transportation improvements along SH 195 that will be the sole cost of the project. Estimated cost for improvements are approx. \$1,300,000. Project prorata share is approximately \$300,000 based on TIA requirements. Additional \$1,000,000 in transportation improvements built by developer as a benefit to the city.

POLICY 10: City Operations Compensation Fee (Language from City MUD Policy)

- *A fee shall be assessed for each residential unit within a district, located within the City's ETJ, equal to the proportion of City operations attributed to serving residents of the district. The fee shall be calculated as follows:*
 -
 - *B = Total General Fund budget for the fiscal year in which the consent application is filed.*
 - *P = The estimated population of the City at the time the consent application is filed.*
 - *H = The estimated average household size within the City at the time the consent application is filed.*
 - *D = The percentage of City services used by district residents. This percentage shall be adopted by the City annually as a part of the City's budget adoption process.*
 - *Y = Number of years of duration of the district.*
 - *R = Discount rate. This rate shall be adopted by the City annually as a part of the city's budget adoption process.*
 - *PV = Present Value.*
 -
 -
 - *City Operations Compensation Fee = $PV(R, Y, -(B / (P / H)) * D)$*
 -
- Example: B = \$24,000,000 P = 41,000 H = 2.8 D = 15%*
- Y = 20 R = 6% Fee = 2,819*
- - Miscellaneous Provisions
 - *Where not otherwise specifically addressed in this Policy, the procedures in Unified Development Chapter 13 shall prevail.*

Policy 10 - The Project is within the city limits and Policy 10 is not applicable.

City of Georgetown, Texas
City Council Workshop
October 26, 2021

SUBJECT:

Presentation and discussion on boards and commissions – David Morgan, City Manager

ITEM SUMMARY:

Council asked staff to analyze current boards and commission process. This presentation is geared at receiving feedback from Council on how to optimize our boards and commission appointment process and scope of business that is carried out.

FINANCIAL IMPACT:

Potential savings in cost of staff time based on Council's direction

SUBMITTED BY:

Mayra Cantu, Assistant to the City Manager

ATTACHMENTS:

Presentation - Boards and Commissions

Boards and Commissions

October 26, 2021

Overview

- **Staff has done a preliminary review of our 30+ boards and commissions**
- **Initial findings:**
 - Significant staff time on routine business items
 - Some boards and commissions rarely meet
- **Our goal is to optimize the boards use of time while being efficient with staff's time**

Name of Board	Number of Meetings per Year	Time of Day They Meet At	Total Hours	Total Cost
ADA	0	As-needed	0	\$0
Animal Shelter	3	2nd Thursday at 6:00 pm, City Hall	30	\$1,200
Arts and Culture	12	3rd Tuesday at 4:30 pm, Library	186	\$7,440
Building Standards	3	As-needed, GMC	40	\$1,600
Civil Service	8	As-needed, City Hall	214	\$8,560
Commission on Aging	12	As-needed, or 3rd Monday at 6:00, PSOTC	120	\$4,800
Convention and Visitors Bureau	11	2nd Thursday at 8:30 am, CVB - 103 W 7th Street	176	\$7,040
Downtown TIRZ	11	Once a year, or as needed, City Hall	65	\$2,600
Electric Utility Advisory Board	12	3rd Thursday at 4:30 pm, Library	612	\$24,480
Ethics	5	Once a year, or as needed, City Hall	40	\$1,600
General Government and Finance Bd	11	1st Wednesday following second Council meeting of the month, at 4:30 pm, City Hall	678	\$27,120
GT Eco Devo Comm	9	3rd Monday at 4:00 pm, City Hall	306	\$12,240
GT Transportation Advisory Bd	10	2nd Friday at 10:00 am at GMC, currently Library	384	\$15,360
GT Transportation Enhancement Corp	4	3rd Wednesday at 3:30 pm at GMC, currently Library	224	\$8,960
GT Village PID	8	2nd Monday at 6:00 pm, PSOTC	505	\$20,200
GT Water Utility Bd	10	2nd Thursday at 2:00 pm, Westside Service Center	328	\$13,120
Historic and Architectural Review Commission	22	2nd and 4th Thursdays at 6:00 pm, Council Chambers	517	\$20,680
Housing Advisory Bd	12	3rd Monday at 3:30 pm, Historic Light and Waterworks Bldg	177	\$7,080
Intergovernmental Relations	6	As-needed, City Hall/Zoom	45	\$1,800
Library Advisory Board	12	1st Tuesday at 6:00 pm, Library	144	\$5,760
Main Street Advisory Bd	10	2nd Friday at 9:00 am, City Hall	135	\$5,400
P&Z - Shot Clock	24	1st and 3rd Tuesdays at 6:00 pm, Council Chambers	23,526	\$941,040
Parks and Recreation Adviosry Bd	11	2nd Thursday at 6:00 pm, Parks Admin Bldg	248	\$9,920
Rivery TIRZ	1	Once a year, or as needed, City Hall	19.5	\$780
Strategic Partnerships for Community Svcs	6	Once a year, or as needed, City Hall	175	\$7,000
Unified Development Code Advisory Bd	9	2nd Wednesday at 3:30 pm, Hisotirc Light and Waterworks Bldg	396	\$15,840
Williams Drive TIRZ	1	Once a year, or as needed, City Hall	19.5	\$780
Wolf Lakes TIRZ	1	Once a year, or as needed, City Hall	19.5	\$780
Youth Advisory Board	9	1st Tuesday at 6:30 pm in Teen Center, Rec Center (during school months only)	40	\$1,600
Zoning Bd of Adjustment	4	As-needed, 1st or 3rd Tuesday at 5:00 pm, Council Chambers	70	\$2,800
Grand Total			28,720	\$1,177,580

Council Direction – Short Term

Short Term

- Are there any boards or commissions you would like to combine?
- Financial reporting - quarterly or monthly (as-is) basis
- Time of day they should meet

Long Term

- How should the board or commission business be focused:
 - Strategic direction vs. routine approvals
- Is there a need for separate by-laws

Next Steps

- **Over the next 6 months staff will continue analysis on boards and commissions and bring back recommendations to council**
- **Boards and Commission Schedule**
 - Recruitment begins on November 1
 - Recruitment ends early January
 - Recommendations presented to Council at 2nd meeting in February
 - Appointments made in March

City of Georgetown, Texas
City Council Workshop
October 26, 2021

SUBJECT:

Presentation and discussion regarding the operation of pedicabs within the city limits of Georgetown – Cory Tchida, Acting Police Chief

ITEM SUMMARY:

Over the last year there has been increased interest from individuals wishing to operate pedicabs for profit within the City of Georgetown. Currently, city ordinance does not regulate the operation of pedicabs. There are ordinances that cover taxi operations, but they are specifically defined in ordinance as motor vehicles. There is also an ordinance that regulates non-motorized vehicles for hire but those are specifically defined as being pulled by animals.

Without an ordinance authorizing and regulating pedicabs or an ordinance that specifically prohibits pedicabs, pedicabs could operate on the streets without any prevailing regulation. The Police Department does not think this would be in the best interest of public safety given the nature of how pedicabs operate.

Currently most cities in our immediate area, except for Austin, do not appear to regulate pedicabs via ordinance.

Staff seeks direction from council on how they wish to proceed regarding the potential regulation and operation of pedicabs.

FINANCIAL IMPACT:

N/A

SUBMITTED BY:

Cory Tchida, Acting Police Chief

ATTACHMENTS:

Pedicab Presentation

Pedicabs

Cory Tchida, Acting Police Chief

October 26, 2021

Overview

- Definition
- Background
- Issues
- Options
- Areas of Regulation
- Feedback Requested

Definition

WHAT IS A PEDICAB?

A small three-wheeled public conveyance that a driver operates by pedals



Background

Background

- Historically, there have not been pedicabs operated within the City.
- Lack of pedicabs likely had to do with the atmosphere at those times.
- That atmosphere has changed and night life is more abundant.
- Over the last several years, there has been increased interest from individuals wanting to operate pedicab businesses within the City.

Issues

Issues

- Current Ordinances do not currently cover or regulate the operation of pedicabs.
 - Chapter 6.20 Motorized Vehicles for Hire
 - Defines a vehicle for hire as a chauffeured motor vehicle used to transport passengers. Pedicabs are not motor vehicles.
 - Chapter 6.25 Horse Drawn Carriages and other Non-Motorized Service Vehicles for Hire
 - Indicates that a non-motorized vehicle for hire is pulled by animals.
- If no ordinance prohibits pedicabs, the current thought is they could operate without regulation as long as they obeyed other laws such as traffic law or city ordinances that govern vehicles and traffic.
- Locally, it appears only Austin has an ordinance regulating pedicabs. They operate in Round Rock without regulation and are advised to “obey traffic laws”.
- Of the 29 cities 50,000 to 100,000 population only Galveston and San Marcos had ordinances listed in Municode.

Options

Options

- **Take no action.**
- **Prohibit the operation of pedicabs within the City.**
- **Allow and regulate the operation of pedicabs via ordinance.**

Take no action

- **Staff does not recommend this option.**
- **Allows for a variety of unintended consequences.**
 - **Operation in undesirable locations.**
 - **Operation in undesirable manner.**
 - **Operation by undesirable parties.**

Prohibit the Operation

End Of The Road Is Near For Arlington's Pedicabs As City Council Unanimously Votes To Terminate Program

by Caroline Vandergriff | CBS 11

January 14, 2020 at 9:57 pm Filed Under: Arlington, Arlington City Council, City of Arlington, DFW News, Mayor Jeff Williams, pedal power, Pedicabs, sporting events, stadiums



FOLLOW US



OUR | NEWSLETTER

Sign up and get our latest news delivered right to your inbox

Email address

Subscribe Now

MOST VIEWED

North Texas Sibling Month Mining Cry Here's How They C

Burleson School Ho Of Player Taken To

Allow and Regulate

- Possible points of regulation
 - Pedicab requirements and inspections
 - Conduct of drivers
 - Operation of pedicabs
 - Allowable locations
 - Prohibited locations
 - Display of rates and fares
 - Permitting requirements
 - Insurance requirements
 - Indemnification
 - Complaint procedures
 - Revocation and suspension procedures

Feedback Requested

Feedback Requested

- Does Council wish staff to move forward with an option in relation to pedicabs?
- If Council wishes to allow and regulate pedicabs, are there particular areas to be addressed or specific items with the identified areas that Council wants to ensure are covered?
- Does Council have any other questions?