Exhibit A

RECEIVED

The Carlton Law Firm, P.L.L.C.

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JAN 0 9 2017

2705 Bee Cave Road, Suite 200 Austin, Texas 78746

LAW DEPARTMENT

MAYOR'S OFFICE

Kelli A. N. Carlton kelli@carltonlawaustin.com

Phone: (512) 614-0901 Facsimile: (512) 900-2855

**WAYOR'S OFFICE** 

January 6, 2017

Des a Assur

#### VIA CERTIFIED MAIL, RRR #7015 1730 0000 0257 9544

Mayor Steve Adler and City Council Members City of Austin P.O. Box 1088 Austin, Texas 78767 RECEIVED

Re: Consent to petition for creation of Travis County Emergency Services District No. 15 – Council Action Requested by February 13, 2017

Dear Mayor Adler and Austin City Council Members:

Edward Rojas, John Foradory, Joe Orosco and Patricia Orosco filed the attached petition for creation of Travis County Emergency Services District No. 15 (the "District"). The District is proposed for the purpose of providing fire prevention and firefighting services in the area. The Commissioners Court of Travis County has accepted the petition and scheduled a public hearing on February 14, 2017, to consider whether to grant the petition and to call an election. Because a portion of the City of Austin's extraterritorial jurisdiction is within the proposed District's boundaries, the City must consent to the inclusion of this area within the District in order for it to be included within the District. (Texas Health & Safety Code §775.014). This letter serves as a formal request that the City consent to creation of the proposed District and allow the District to include the portion of the City's extraterritorial jurisdiction that is within its boundaries.

The petitioners respectfully request to be placed on the City of Austin's agenda as soon as possible under an item titled, "Discuss and consider consenting to the creation of the proposed Travis County Emergency Services District No. 15 and the inclusion of certain extraterritorial jurisdiction within the District, and adopting a resolution on same." While the law allows City action within 60 days, we respectfully request City Council action as soon as possible, but no later than February 13, 2017, so we may report to the Commissioners Court at the public hearing and so we may make the deadline for calling a May 2017 election.

A map of the District and written boundary description are included in the attached petition.

The petitioners respectfully request that you consent to including that portion of the City's extraterritorial jurisdiction in Travis County Emergency Services District No. 15 by adopting a resolution similar to the resolution enclosed and approving the request in writing.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

THE CARLTON LAW FIRM, P.L.L.C.

Kelli A. N. Carlton

Enclosures

cc: Elaine Hart, Interim City Manager (via email)

Jason Pack, Travis County Fire Fighters Local #4583 (via email)

#### PETITION FOR CREATION OF EMERGENCY SERVICES DISTRICT

THE STATE OF TEXAS § IN THE COMMISSIONERS COURT

8

OF

COUNTY OF TRAVIS \$ TRAVIS COUNTY, TEXAS

#### TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS OF THE COURT:

NOW COME 100 or more qualified voters who own taxable real property in Travis County, Texas pursuant to Texas Health & Safety Code, Section 775.011(a), requesting the creation of an overlay Emergency Services District and would respectfully show the following:

#### I. CREATION AND OPERATION

The proposed new Travis County Emergency Services District ("District") will be created and operated under the provisions of Article III, Section 48-e of the Constitution of Texas and Chapter 775 of the Health & Safety Code ("Code") of the State of Texas.

#### II. NAME AND NUMBER

The name of the proposed District is "TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 15," which is the next consecutive emergency services district number available in Travis County. See Tex. Health & Safety Code §775.011(b).

#### III. AREA OF OVERLAY DISTRICT

The area of the new District will overlap Travis County Emergency Services District No.

11, and will generally include the city limits and extraterritorial jurisdiction of the City of Creedmoor and the City of Mustang Ridge that are currently within Travis County Emergency Services District No. 11. Additionally, the area of the new District will include portions of the extraterritorial jurisdictions of the Village of Webberville and the Cities of Austin, Niederwald, Bastrop and Buda, further including the portion of a limited purpose district in the extraterritorial

jurisdiction of Buda, all of which are currently within Travis County Emergency Services District No. 11. The boundaries of the District will be coterminous with those of the existing Travis County Emergency Services District No. 11 and are more particularly described by the description attached as **Exhibit "A"**, which is attached hereto and incorporated herein for all purposes, and generally shown on the attached map in **Exhibit "B"**, save and except the city limits or extraterritorial jurisdictions of any cities not identified in this Petition that may overlap the new District. The Petitioners believe they have found and named all the city limits and extraterritorial jurisdictions affected by the new District and to be included in the area of the new District. If any city limits or extraterritorial jurisdictions not specifically named in this Petition are later found to exist within the new District, Petitioners hereby exclude those areas from the new District, as the omission would have been inadvertent.

#### IV. SERVICES TO BE PROVIDED

The new District will provide the following:

- 1. Fire Prevention and Fire-Fighting Services and related powers and authority, including emergency response on all structure, grass, brush and other fires within the new District on a 24-hour-per-day, seven-day-a-week basis;
- 2. Fire Code adoption and enforcement services within the new District and related powers and authority; and
- 3. All other services and powers that an emergency services district is authorized to provide or exercise under Chapter 775 of the Texas Health & Safety Code, except for first responder emergency medical services and those services and powers related to the provision of emergency medical services, including transport.

The new District will not provide any services that Travis County Emergency Services District No. 11 will continue to provide as set forth in the statement of services to be provided by Travis County Emergency Services District No. 11 in accordance with Section 775.018(g) of the Code.

#### V. COMPLIANCE WITH CODE

The creation of the new District complies with Section 775.0205 of the Code. (Section 775.020 does not apply to Travis County.) The Petitioners request that the County deliver a copy of this petition to the Board of Commissioners of Travis County Emergency Services District No. 11, and request a statement of services in accordance with Section 775.018(g) of the Code.

#### VI. PETITIONERS

Four Petitioners present this petition. The Petitioners are: Edward Rojas, who resides at 11401 Tickford Drive, Del Valle, Texas 78617; John Foradory, who resides at 11403 Tickford Drive, Del Valle, Texas 78617; Joe Orosco, who resides at 9028 Elroy Road, Del Valle, Texas 78617; and Patricia Orosco, who resides at 9028 Elroy Road, Del Valle, Texas 78617. Petitioners hereby agree and obligate themselves to pay not more than one hundred fifty dollars (\$150.00) in costs incident to the formation of the new District, including the costs of publishing notices, election costs, and other necessary and incidental expenses, as required by Section 775.013(b) of the Code.

#### VII. CITIES AFFECTED

The cities of Creedmoor, Mustang Ridge, Austin, Bastrop, Buda, and Niederwald, and the Village of Webberville, are the only municipalities whose consent must be obtained under Section 775.014 of the Code. The portions of the city limits and extraterritorial jurisdictions of the cities of Creedmoor and Mustang Ridge that are currently within Travis County Emergency Services District No. 11 will be within the territory of the new District. The portions of the extraterritorial jurisdictions of the Cities of Austin, Bastrop, Buda (including a portion of a limited purpose district in Buda's ETJ) and Niederwald, and the Village of Webberville that are currently within the boundaries of Travis County Emergency Services District No. 11 will be within the territory of the new District.

### VIII. SIGNATURES REQUIRED

The signatures required by Section 775.011(a) of the Code for the creation of the District are attached hereto as **Exhibit "C"** and are incorporated herein by reference.

WHEREFORE, PREMISES CONSIDERED, Petitioners pray that such notices be issued by the County Clerk of Travis County as required by law; that a public hearing be held on this petition in the county; that a copy of this petition be sent to Travis County Emergency Services District No. 11 together with a request for a statement of services; and, that after the hearing the Commissioners Court of Travis County grant this petition and call a special election regarding the creation of the new District.

RESPECTFULLY SUBMITTED this 1 day of DLLM bev, 2016.

PETITIONERS:

Bv:

Printed Name: Edward Rojas

Printed Name: John Foradory

By:

Printed Name: Joe Orosco/

Printed Name: Patricia Orosco

#### Exhibit "A"

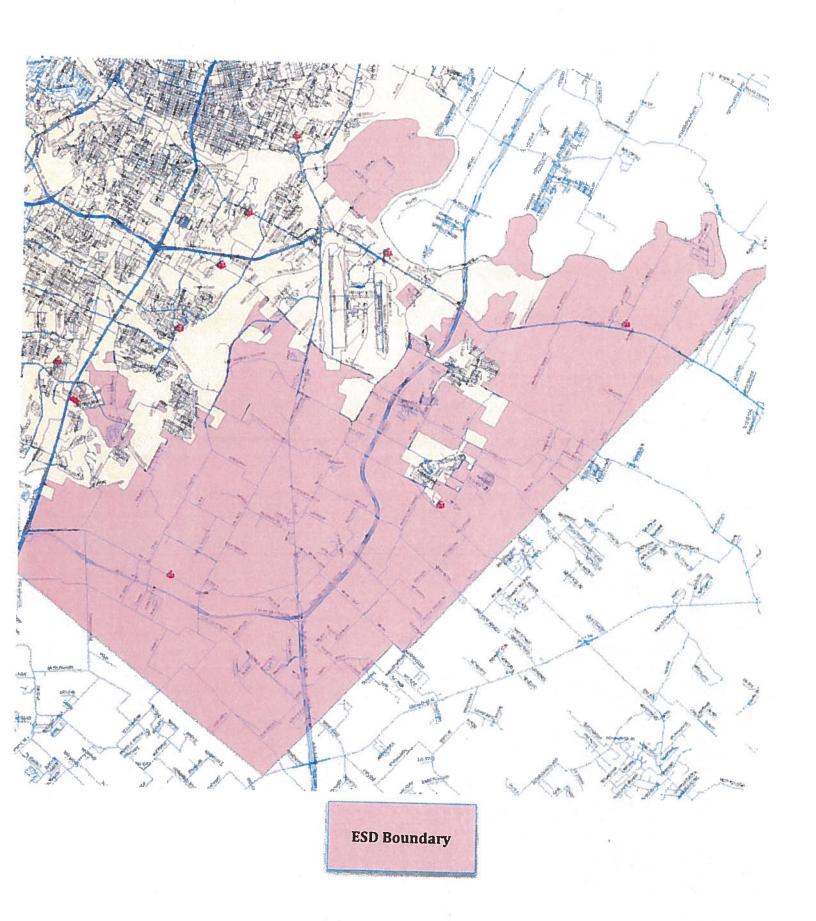
# Description of Proposed Travis County Emergency Services District No. 15

# **Boundary Description**

The boundaries of the proposed Travis County Emergency Services District No. 15 are coterminous with the boundaries of the existing Travis County Emergency Services District No. 11 as those boundaries exist on November 29, 2016.

# Exhibit B Map of Proposed Travis County Emergency Services District No. 15

(ATTACHED)



## Exhibit "C"

Real Property Owners Qualified to Vote in Travis County for Proposed Travis County Emergency Services District No. 15

(ATTACHED)

RODNEY GENE KINSEY	SAMI KINSEY	LORETTA AUGUSTA ORSAK	JOHN C ORSAK	DAVID EARL ROGERS	VICTORIA ROGERS	MICHAEL ANTON KALENDER	HENRY ALLEN DOSS	SUSAN BECK DOSS	TRAVIS ALLEN DOSS	CHARLES EDWIN LOCKE	JANICE BURGESS LOCKE
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DARYL SORCE LESSMANN	KELLI RENE GOLDSTEIN-KRAUSER	HUEY PAUL KRAUSER	DANIEL A ARMESTO	DIANE GONZALES MENDOZA	JULIUS RAY DOMINGUEZ	IOE ANGEL AGUILAR	MATILDE TORRES	CRYSTAL M GALLEGOS	JAMES WILBUR FORD	ROWE DEHAY CALDWELL	NHUX YTT38
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MARCELIA LYNETTE PERRY	PABLO NAVARRO	CHING-FU CHANG	DEBORAH LYNN BOWIE	BOBBY A PURCELL	BENNY WHALEY	JAMES WILLIS VANNOY	LORETTA ANN NEWPORT	BRUCE ALAN NELSON	KAREN WHITEHEAD	GARY MICHAEL BONNETTE	WILLIAM FORREST MATTHEWS
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ANTONIO GOVEA	11617 MAYBACH DR / Del Valle TX 78617	1157425332	
PETE CORTEZ	11611 MAYBACH DR / Del Valle TX 78617	1139786253	10/12/57
LORRIE BETH ORTIZ	11609 MAYBACH DR / Del Valle TX 78617	1132800284	13/61/1 182003211
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CHRISTINA M ROGERS	11715 MAYBACH DR / Del Valle TX 78617	1140399773	05/8/h
JESUS MIGUEL RIVAS	11721 MORNING VIEW DR / Del Valle TX 78617	1015119584	
AMY WHALEN MENDEZ	11821 MORNING VIEW DR / Del Valle TX 78517	1130976025	
QUINCY GYRONE LEE	11916 MORNING VIEW DR / Del Valle TX 78617	1137383380	
ANNA OLINGER HILT	12212 MUSTANG DR / BUDA TX 78610	1140190627	11/20/58
VIRGINIA YANEZ	12204 MUSTANG DR / BUDA TX 78610	1142321704	12/28
KENNETH NEAL SCOTT	12207 MUSTANG DR / BUDA TX 78610	1142977768	Solution

TERRY LYNN CONLEY	FRANCO MANGANO	MARY ALICE ESPINOZA	PRANEE BAINGOEN WHITED	PAUL JOSEPH MALDONADO	VICTOR ABEL SALAZAR	KATHERINE RUTH WOOD	JO LYNN ZAMUDIO	REBECCA URIAS	MARGARET BROWN	DAVID ADAM PEMBLETON	CHRISTIMA MICHELLE DAVIS
CONLEY	MGANO	ESPINOZA	DEN WHITED	MALDONADO	LSALAZAR	UTH WOOD	AMUDIO	URIAS	T BROWN	PEMBLETON	CHELLE DAVIS
7212 GREAT PANDA CV / Del Valle TX 78617	11720 GEMMER ST / Del Valle TX 78617	11503 GEMMER ST / Del Valle TX 78617	11608 GEMMER ST / Del Valle TX 78617	11713 GEMMER ST / Del Valle TX 78617	11744 GEMMER ST / Dei Valle TX 78617	11616 GEMMER ST / Del Valle TX 78617	11709 GEMMER ST / Del Valle TX-78617	12213 FERRYSTONE GLEN DR / Del Valle TX 78617 1132107017 5 3 5 5	6913 FERRYSTONE PASS / Del Yalle TX 78617	6908 FERRYSTONE PASS / Del Valle TX 78617	6928 FERRYSTONE PASS / Del Valle TX 78617
1160664928	1130207811	1181719750	1132333593	1140424099	1201210849	1133341973	1171281037	119210701	1140722916	1130341076	1140751970
11-8-1960	4.20.54	12-26-56	18-M-19K	07-14-67	7/11/1992	3	5 88 54 72	5/30/85	6	2	9/20/24
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ANA GOMEZ ESCOBEDO	NATHANIEL EDWARD COOK	GEORGE CLAY EALY	WILLIAM E BARRETT	HILDE INGE SANDERS	RUTH ANN SCHWIND	JOSEPH JONES	VANNESSA CHERYL JONES	EMMA JEAN RUSSELL	LINDA MARY ALEJANDRO	DAMIANA G MONREAL	MAUREEN K FROST
6924 SAVANNA CANYON DR / Del Valle TX 78617	6925 SAVANNA CANYON DR / Del Valla TX 78517 1150567297 7/16/53	18506 RIVER TIMBER DR / Del Valle TX 78617	18303 RIVER TIMBER DR / Del Yalle TX 78617	3203 RIVER RD / Cedar Creek TX 78512	3803 RIVER RD / Detroite TX 78612	11708 RAILTON DR / Dei Veile TX 78617	11708 RAILTON DR / Del Valle TX 78617	11725 RAILTON DR / Del Valle TX 78617	11704 RAILTON DR / Del Valle TX 78617	11732 RAILTON DR / Del Valle TX 78617	11705 RAILTON DR / Dei Valle TX 78617
1197284918	1160567797	2121393329	1150815103	1130819276	1139646310	1132732259	1130873006	11/41051926	1140911280	1192944320	1143009576
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#### A RESOLUTION GRANTING THE CONSENT OF THE CITY OF AUSTIN, TEXAS, TO THE CREATION OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 15

WHEREAS, the City of Austin, Texas ("City"), has received the petition attached as **Exhibit "A"**, and a letter requesting the City's consent to the creation of an emergency services district ("District"), proposed to be known as Travis County Emergency Services District No. 15, which includes a portion of the extraterritorial jurisdiction of the City within Travis County, and

WHEREAS, the City desires to grant its written consent to the creation of the District; and

WHEREAS, the City desires to grant its written consent to the inclusion of its extraterritorial jurisdiction that is within the proposed District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, that the City gives its written consent to the creation of the District, proposed to be known as Travis County Emergency Services District No. 15, and to the inclusion of the extraterritorial jurisdiction of the City that is within the boundaries of the District as more particularly described in the petition attached as **Exhibit A**. This consent is valid for a period of six months from the date of its adoption.

PASSED AND APPROVED on the	day of	, 2017
ATTEST:	Steve Adler, Mayor City of Austin, Texas	
Jannette Goodall, City Clerk		