



MEMORANDUM

TO: Mayor and Council Members

FROM: Rey Arellano, Assistant City Manager

DATE: January 26, 2020

SUBJECT: Creation of Emergency Services District 17

The purpose of this memo is to inform you about [Item 25](#), scheduled for your consideration at the January 27, 2021 Council meeting.

On December 10, 2020, the City received a request from Travis County residents who have filed a petition with the Travis County Commissioners Court for the creation of a new Emergency Services District (the "District") for the City's consent to the creation of the new district. Because portions of the City's limited purpose annexed jurisdiction and extraterritorial jurisdiction are 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.

The petitioners must also seek consent from the cities of Pflugerville, Round Rock, Manor, Hutto, and Taylor because the district will generally include the city limits and extraterritorial jurisdiction of those cities as well.

The proposed new district will be known as Travis County Emergency Services District No. 17 (ESD 17). If created, the boundaries of ESD 17 will be identical to the boundaries of existing Travis County Emergency Services District No. 2 (ESD 2). Thus, ESD 17 will be an "overlay" district with ESD 2, as recognized and permitted by state law. ESD 17 is proposed for the purpose of providing emergency medical services in response to any emergency situation, but the District will not provide any services provided by the existing Travis County ESD 2. The Attachment provides a copy of the request along with a map that shows the boundaries of ESD 17.

ESD 2 currently provides emergency medical transport services within the ESD 2 boundaries. If the Commissioners Court grants the petition and orders an election to confirm the creation of ESD 17, State law (subsection 775.018(g) of the Health and Safety Code) requires that ESD 2 provide, prior to such election, a statement of services that specifies the types of emergency services it will provide or continue to provide. The Austin-Travis County Emergency Medical Services Department (ATCEMS) provides emergency medical services to ESD 2 residents only as back-up to ESD 2 under the terms of the existing interlocal agreement with Travis County for emergency medical transport services within Travis County. Therefore, the proposed ESD 17, if created, will not significantly impact service delivery or operations for ATCEMS. Its creation would likely result in nominal positive impact because ATCEMS calls for service as back up into that jurisdiction would very likely decrease.

In December 2012, the City received a similar request from Travis County petitioners to consent to the creation of an overlay district to ESD 2. On January 17, 2013, City Council approved a resolution consenting to the inclusion of the same limited purpose and extraterritorial jurisdiction within the proposed overlay district. However, the proposed overlay district was not created in 2013.

City Council has also received similar other requests in the past, and approved the inclusion of limited purpose and extraterritorial jurisdiction areas in Hays County Emergency Services District No. 9 (June 2016) and Travis County Emergency Services District No. 15 (February 2017).

Please do not hesitate to contact me should you have questions or require additional information.

cc: Spencer Cronk, City Manager
CMO Executive Team

Attachments:

1. Letter dated December 10, 2020; "Re: Consent to petition for creation of Travis County Emergency Services District No. 17"
2. Map of Proposed ESD 17 Boundaries

EXHIBIT AOCC RECEIVED AT
DEC 10 '20 PM 4:30

December 10, 2020

Mayor Steve Adler and City Council Members
City of Austin
Austin City Hall
301 W. Second St., Second Floor
Austin, Texas 78701

HAND DELIVERED

Re: Consent to petition for creation of Travis County Emergency Services District
No. 17

Dear Mayor Adler and Austin City Council Members:

The Pflugerville Professional Firefighters Association Local 4137 is sending this request on behalf of Teresa Smith and Teri Lucas who have filed the attached petition for creation of Travis County Emergency Services District No. 17 (the "District"). The Commissioners Court of Travis County has accepted the petition and scheduled a public hearing to consider whether to grant the petition. Because a portion of the District is within the City of Austin's limited purpose annexation and extraterritorial jurisdiction, 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 City's limited purpose annexation areas and extraterritorial jurisdiction located within the District boundaries.

The petitioners respectfully request to be placed on the City of Austin's January 6, 2021 agenda under an item titled, "Discuss and consider consenting to creation of the proposed Travis County Emergency Services District No. 17."

A map of the District and the metes and bounds description are included in the attached petition.

The petitioners respectfully request that you consent to including the City's extraterritorial jurisdiction and limited purpose jurisdiction in Travis County Emergency Services District No. 17 by adopting a motion and approving the District's request in writing.

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

Best regards,



Josh Stubblefield, President
Pflugerville Professional Firefighters Local 4137
P.O. Box 2615
Pflugerville, TX 78691
512-796-6219

EXHIBIT A

000 RECEIVED AT
DEC 10 '20 PM4:30

PETITION FOR CREATION OF AN EMERGENCY SERVICES DISTRICT

THE STATE OF TEXAS	§	IN THE COMMISSIONERS COURT
	§	
	§	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. 17," 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. 2, and will generally include the city limits and extraterritorial jurisdiction of the City of Pflugerville, the City of Austin, the City of Round Rock, the City of Manor, the City of Hutto, and the City of Taylor. The boundaries of the District will be coterminous with those of the existing Travis County

Emergency Services District No. 2 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”**.

IV. SERVICES TO BE PROVIDED

The District will provide emergency medical services in response to any emergency situation in accordance with the authority granted to emergency services districts under Chapter 775 of the Texas Health & Safety Code, but the District will not provide any services provided by the existing Travis County Emergency Services District No. 2 as set forth in the statement of services to be provided in accordance with Section 775.018(g) of the Texas Health & Safety 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. 2, and request a statement of services in accordance with Section 775.018(g) of the Code.

VI. PETITIONERS

Two Petitioners present this petition. The Petitioners are: Teri Lucas, who resides at 17004 Dashwood Creek Drive, Pflugerville, Texas 78660; and Teresa Smith, who resides at 2421 Dovetail Street, Pflugerville, Texas 78660. 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 Pflugerville, Austin, Round Rock, Manor, Hutto and Taylor 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 Pflugerville, Austin, Round Rock, Manor, Hutto and Taylor that are currently within Travis County Emergency Services District No. 2 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. 2 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 8th day of October 2020.

PETITIONERS:

By: Teri Lucas
Teri Lucas

By: Teresa Smith
Teresa Smith

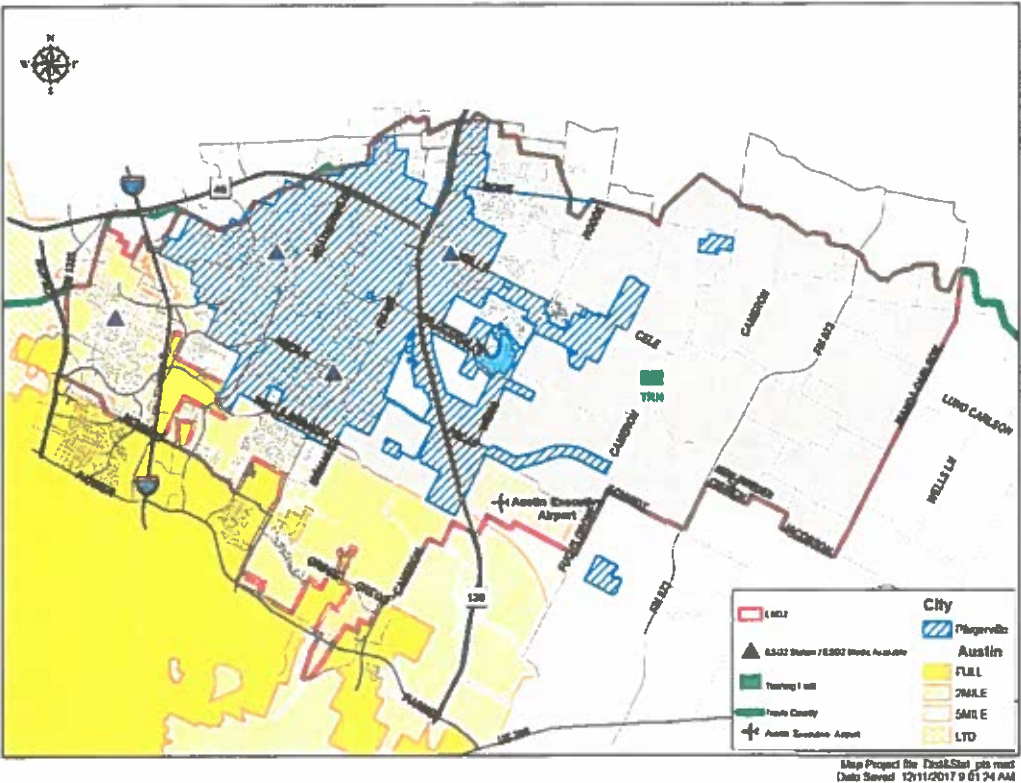
Exhibit "A"

Description of Proposed Travis County Emergency Services District No. 17

Boundary Description

The boundaries of the proposed Travis County Emergency Services District No. 17 are coterminous with the boundaries of the existing Travis County Emergency Services District No. 2.

Exhibit B
Map of Proposed
Travis County Emergency Services District No. 17



TRAVIS COUNTY ESD #17

MAP PRODUCED BY AUSTIN FIRE DEPARTMENT.
 ESD 17 BOUNDARY PROVIDED BY ESD 2/
 PFLUGERVILLE FIRE DEPARTMENT
 DECEMBER 2021

AUSTIN FULL PURPOSE
 AUSTIN 2 MILE ETJ
 AUSTIN 5 MILE ETJ
 AUSTIN LTD

ESD 17 (SAME AS ESD 2)
 ATCEMS/FIRE STATION
 FIRE STATIONS
 CITY OF PFLUGERVILLE FULL PURPOSE

