



# City of Pflugerville

## Legislation Text

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**File #:** RES-0821, **Version:** 3

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Discuss and consider action on a resolution consenting to creation of the proposed Travis County Emergency Services District No. 17.

The City of Pflugerville received a certified petition on December 10, 2020 for the creation of Travis County Emergency Services District No. 17. The petition was transmitted to the city by the Pflugerville Professional Firefighters Association Local 4137.

The Texas Health and Safety Code, Section 775.014, prescribes the creation of a district that includes municipal territory, as follows:

(a) Before a district may be created that contains territory in a municipality's limits or extraterritorial jurisdiction, a written request to be included in the district must be presented to the municipality's governing body after the petition is filed under Section 775.015. Except as provided by Subsection (c), that territory may not be included in the district unless the municipality's governing body gives its written consent on or before the 60th day after the date on which the municipality receives the request.

(b) If the municipality's governing body does not consent to inclusion within the 60-day period prescribed by Subsection (a), a majority of the qualified voters and the owners of at least 50 percent of the territory in the municipality's limits or extraterritorial jurisdiction that would have been included in the district may petition the governing body to make fire control and emergency medical and ambulance services available. The petition must be submitted to the governing body not later than the 90th day after the date on which the municipality receives the request under Subsection (a).

(c) If the municipality's governing body refuses or fails to act on the petition requesting fire protection and emergency medical and ambulance services within six months after the date on which the petition submitted under Subsection (b) is received, the governing body's refusal or failure to act constitutes consent for the territory that is the subject of the petition to be included in the proposed district.

(d) If the proposed district will include territory designated by a municipality as an industrial district under Section 42.044, Local Government Code, consent to include the industrial district must be obtained from the municipality's governing body in the same manner provided by this section for obtaining consent to include territory within the limits or extraterritorial jurisdiction of a municipality.

(e) If the municipality's governing body consents to inclusion of territory within its limits or extraterritorial jurisdiction, or in an industrial district, the territory may be included in the district in the same manner as other territory is included under this chapter.

(f) A governing body's consent to include territory in the district and to initiate proceedings to create a district as prescribed by this chapter expires six months after the date on which the consent

is given.

Currently, Travis County ESD No. 2 provides fire protection and emergency medical services and is funded with an ad valorem or property tax at \$0.10 per \$100 in value as well as a half cent sales tax, as of 1/1/2001. Travis County ESD No. 2A was established to augment funding, effective 10/01/2014, with an additional half cent sales tax collected in areas outside of the City of Pflugerville.

Travis County has scheduled a public hearing on this matter for February 9, 2021.

A joint meeting has been scheduled for February 2, 2021 at 6p and is being hosted by Travis County Emergency Services District No. 2.

### **Prior City Council Action**

At their regular meeting on January 12, 2021, the City Council discussed the item and took action to delay action on the resolution and requested discussion with the Travis County Emergency Services District No. 2 Board of Commissioners and others to discuss potential solutions for the provision of emergency medical services.

The City Council scheduled a special meeting to allow for joint discussion on January 19, 2021, but cancelled as the Travis County Emergency Services District No. 2 Board of Commissioners and Travis County Commissioners Travillion and Shea were unable to attend.

At their regular meeting on January 26, 2021, the City Council discussed the item and took action to delay action on the resolution with hopes of holding the desired joint meeting.

### **Deadline for City Council Action**

February 8, 2021.

**Funding Expected:** Revenue \_\_\_ Expenditure \_\_\_ N/A

**Budgeted Item:** Yes \_\_\_ No \_\_\_ N/A

**Amount:** n/a

**1295 Form Required?** Yes \_\_\_ No

**Legal Review Required:** N/A \_\_\_ Required  Date Completed: 1/8/2021

### **Supporting documents attached:**

Resolution

Petition for Creation of an Emergency Services District (abridged)

### **Recommended Action**

Discuss and consider action to approve the resolution consenting to the creation of the proposed Travis County Emergency Services District No. 17.