

COVELER & PEELER, P.C.

Attorneys At Law

Two Memorial City Plaza
820 Gessner, Suite 1710
Houston, Texas 77024-4298

Phone 713.984.8222
Fax 713.984.0670

RAMON@COVELER.COM

January 7, 2025

City of Mission

The Honorable Norie Gonzalez Garza, Mayor
The Honorable Jessica, Ortega, Council, Place 1
The Honorable Ruben Plata, Place 2 Mayor Pro Tem
The Honorable Marissa Ortega Gerlach, Council, Place 3
The Honorable Jose Alberto Vela, Council, Place 4
City Hall 1201 E. 8th Street, Mission, Texas 78572

Re: Proposed Hidalgo County Emergency Services District No. 5

Dear Mayor Garza and Council

Our office has advised petitioners as they have petitioned the Hidalgo County Commissioners Court to establish a new emergency services district which would be called Hidalgo County Emergency Services District No. 5, to provide Emergency Medical Services (EMS) and would include the corporate boundaries of the City of Mission as well as the extraterritorial jurisdiction ("ETJ") area of the City. Today, on behalf of the Petitioners, we ask that the City of Mission add an item to the next available City Council agenda to consider the following action:

To review and act on the request to include City of Mission municipal and extraterritorial jurisdiction territory within the territorial boundaries of proposed Hidalgo County Emergency Services District No. 5, including approving an Order to consent to the inclusion of such territory.

Per Texas Health and Safety Code section 775.014, an emergency services district may only include a city's corporate and/or ETJ territory if the city's governing body consents to the inclusion. Granting this consent would allow the voters of the City of Mission and the voters of the City of Mission ETJ to separately vote on whether they wish to be included in the proposed Hidalgo County Emergency Services District No. 5.

The Hidalgo County Commissioners Court has scheduled a public hearing on February 4, 2025 to consider the petition on the creation of Hidalgo County Emergency Services District No. 5. On February 4, 2025 the Commissioners Court will consider the consent or

non-consent of the City of Mission, Alton, Palmview, Penitas, La Joya, Sullivan City, Palmhurst and City of Granjeno regarding the inclusion of their municipal territory and ETJ territory within the proposed Hidalgo County Emergency Services District No. 5. The Commissioners Court will either reject the petition as not feasible or will approve the petition and call for an election on the proposition to create Hidalgo County Emergency Services District No. 5 which would be included on the May 3, 2025 Election Ballot. The proposition would be considered by several groups of voters: (1) voters residing within the City of Mission, (2) voters residing in the City of Mission ETJ, (3) voters residing within the City of Alton, (4) voters residing in the City of Alton ETJ, (5) voters residing within the City of Penitas (6) voters residing in the City of Penitas ETJ, (7) voters residing within the City of La Joya (8) voters residing in the City of La Joya ETJ (9) voters residing within the City of Sullivan City (10) voters residing in the City of Sullivan ETJ (11) voters residing within the City of Palmhurst (12) voters residing in City of Palmhurst ETJ, (13) voters residing within the City of Granjeno (14) voters residing in City of Granjeno ETJ, (15) voters residing within the City of Palmview (16) voters residing in the City of Palmview ETJ and (17) voters residing in the unincorporated areas of Hidalgo County which lie outside areas (1) – (16) and which are not residents of any existing emergency services district.

The petition which has been filed with Hidalgo County and accepted for review at the aforementioned February 4, 2025 Commissioners Court meeting is included with this letter. Per the Notice of Public Hearing being published by Hidalgo County:

The boundaries of Proposed Hidalgo County Emergency Services District No. 5 are coextensive with the boundaries of Hidalgo County Precinct No. 3, as those boundaries exist on December 1, 2024. Petitioners incorporate by reference Resolution of Hidalgo County to Adopt Plan C on which was approved by Commissioners Court on November 13, 2021, which defines the boundaries of Hidalgo County Precinct No. 3.

Hidalgo County Emergency Services District No. 5 will include all of the territory within the municipal jurisdiction of the City of Mission, Alton, Palmview, Penitas, La Joya, Sullivan City, Palmhurst and City of Granjeno as well as all of the territory within the extra territorial jurisdiction of the City of Mission, Alton, Palmview, Penitas, La Joya, Sullivan City, Palmhurst and City of Granjeno.

The proposed Hidalgo County Emergency Services District No. 5 would be formed to provide Emergency Medical Services (EMS) as allowed by Texas Health and Safety Code chapter 775 and Texas Constitution Article III, Section 48-e. If approved by the voters, Hidalgo County Emergency Services District No. 5 would be governed by a five member Board of Emergency Services Commissioners appointed by the Hidalgo County Commissioners Court. Hidalgo County Emergency Services District No. 5 would be

allowed to levy an ad valorem tax rate up to a maximum of \$0.10/\$100 to support its emergency services functions.

The Petitioners believe that the emergency services needs of the communities are growing and that the creation of Hidalgo County Emergency Services District No. 5 is necessary to ensure reliable emergency services are provided to the people of Hidalgo County, including the residents of the City of Mission and its ETJ.

We will make every effort to have a representative of our office available for the City Council meeting when the City addresses this question. My office is available to answer any questions you may have regarding this issue prior to the City Council meeting. We are also available to assist the City Attorney in preparing the Order Consenting to the Inclusion of Municipal and Extraterritorial Jurisdiction in Hidalgo County Emergency Services District No. 5.

Thank you for your attention to this urgent matter.

Sincerely,

COVELER & PEELER, P.C.

By: 
Krystine N. Ramon

Cc: The Honorable Richard Cortez, Hidalgo County Judge