

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDVILLE, TEXAS GRANTING THE CONSENT OF THE CREATION OF FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 9.**

**WHEREAS**, the City Council (the "Council") of the City of Needville, Texas (the "City"), has received a letter (the "Letter") requesting the City's consent to the creation of an emergency services district proposed to be known as the Fort Bend County Emergency Services District No. 9 (the "District"), which includes portions of the City and the extraterritorial jurisdiction of the City (the "ETJ"), with the Letter being attached to and made a part of this Resolution as "Exhibit A"; and

**WHEREAS**, creation of the District is contingent upon voter approval at an election of the qualified voters of the District, and if the voters within the City or its ETJ reject the creation of the District, the City would be carved out of the District and would not be included, even if the proposition passes elsewhere within the District; and

**WHEREAS**, creation of the District could result in an additional ad valorem tax of up to ten cents (\$0.10) per one hundred dollar (\$100) valuation being imposed in the District; and

**WHEREAS**, after reviewing the letter, the explanation of the petitioners, and having taken public input concerning the matter, the Council desires to grant its written consent to the creation of the District through this Resolution; and **NOW, THEREFORE**,

**THE CITY COUNCIL OF THE CITY OF NEEDVILLE, TEXAS HEREBY RESOLVES:**

**SECTION 1.** THAT the City gives its written consent to the creation of the District, and to the inclusion of all portions of the City and the ETJ within the boundaries of the District, with the District being described and depicted in "Exhibit B" attached to and made a part of this Resolution.

**SECTION 2.** THAT the consent contained in this Resolution is valid for a period of six (6) months from the date of its adoption.

**PASSED & APPROVED THIS, THE 14<sup>th</sup> DAY OF JULY, 2021.**



**SANDRA DORR, MAYOR**

**ATTEST**

  
**Brenda Tekyl, City Secretary**

**EXHIBIT A**

**Letter Requesting City Consent of Fort Bend County Emergency Services District No. 9**

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# Needville ESD Committee

29 June 2021

Dear Mayor Dorr and Members of the Needville City Council,

Donald Vandelinder, Keith Thumann and Clay Forister have filed the attached petition for the creation of Fort Bend County Emergency Services District No. 9 (the "District"). The District is proposed for the purpose of funding emergency fire and rescue services in the area. The Commissioners Court of Fort Bend County has accepted the petition and will hold a public hearing to consider whether to grant the petition. Because a portion of the District encompasses the City of Needville's city limits and extraterritorial jurisdiction ("Needville City Limits and ETJ"), the City must consent to the inclusion of this area within the District in order for it to be included in 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 Needville City Limits and ETJ.

The petitioners respectfully request to be placed on the City's agenda as soon as possible and before July 26<sup>th</sup> at the latest, under item titled, "Discuss and consider consenting to creation of the proposed Fort Bend County Emergency Services District No. 9."

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 Needville City Limits and ETJ in Fort Bend County Emergency Services District No. 9 by adopting a resolution similar to the attached and approving the request in writing.

Regards,

*Mr. Keith Thumann*

*Mr. Don VanDeLinder*

*Mr. Clay Forister*

**PETITION FOR CREATION OF  
EMERGENCY SERVICES DISTRICT**

<b>THE STATE OF TEXAS</b>	§	<b>IN THE COMMISSIONER'S COURT</b>
	§	
	§	<b>OF</b>
	§	
<b>COUNTY OF FORT BEND</b>	§	<b>FORT BEND COUNTY, TEXAS</b>

**TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS OF SAID COURT:**

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

**I.**

That the proposed Fort Bend County Emergency Services District No. 9 (the "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 of the State of Texas.

**II.**

That the name of the proposed District shall be "FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 9."

**III.**

That the area of the District does not overlap the boundaries of any other emergency services district, and will generally include all or portions of the city limits of the City of Needville and portions of the extraterritorial jurisdictions of the Cities of Needville, Rosenberg, Alvin and Fairchilds. The boundaries of the District 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 sketch in Exhibit "B".

**IV.**

The District will provide emergency 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.

**V.**

The creation of the District complies with Section 775.0205 of the Texas Health & Safety Code.

**VI.**

That Clay Forister, who resides at 3811 Founders Drive, Needville, Texas 77461; Keith Thumann, who resides at 9503 Highland Park Drive, Needville, Texas 77461; and Donald Vandelinder, who resides at 9050 Bowie Trail, Needville, Texas 77461 (collectively, "Petitioners"), agree and obligate themselves to pay the cost incident to the formation of the District, including the costs of publishing notices, election costs, and other necessary and incidental expenses, such cost not to exceed one hundred fifty (\$150.00) dollars, to Fort Bend County as required by Section 775.013(b) of the Texas Health & Safety Code.

**VII.**

The cities of Needville, Rosenberg, Alvin, and Fairchilds are the only municipalities whose consent must be obtained under Section 775.014 of the Texas Health & Safety Code.

**VIII.**


The signatures required by the Texas Health & Safety Code, Section 775.011, for the creation of Fort Bend County Emergency Services District No. 9 are attached on Exhibit "C".

WHEREFORE, PREMISES CONSIDERED, Petitioners pray that such notices be issued by the County Clerk of Fort Bend County as required by law; that a public hearing be held on this petition in the county; and that, after the hearing, the Commissioners Court of Fort Bend County grant this petition and call a special election regarding the creation of the District.


RESPECTFULLY SUBMITTED this 26<sup>th</sup> day of May, 2021.

PETITIONERS:

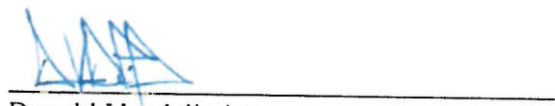
By:

  
Clay Forister

By:

  
Keith Thumann

By:

  
Donald Vandelinder

**EXHIBIT B**

**Depiction and Description of Fort Bend County Emergency Services District No. 9**

**Exhibit "A"**

**Description of Proposed Fort Bend County Emergency Services District No. 9**

**Boundary Description**

Beginning at the point of intersection of the Fort Bend-Wharton County line with the southernmost corner of the boundary of Fort Bend County Emergency Services District No. 8, thence north and easterly along the boundary of Fort Bend County Emergency Services District No. 8 to the point of intersection with the boundary of Fort Bend County Emergency Services District No. 6, thence south and easterly along the boundary of Fort Bend County Emergency Services District No. 6 to the point of intersection with eastern right-of-way line of State Highway 36, thence southerly along the eastern right-of-way line of State Highway 36 to the point of intersection with the northeast right-of-way line of Jeske Road, thence south and easterly along the northeast right-of-way line of Jeske Road to the point of intersection with the northwest right-of-way line of Roesler Road, thence north and easterly along the northwest right-of-way line of Roesler Road to the point of intersection with the northeast right-of-way line of Oberrender/Zamanek Road, thence south and easterly along the northeast right-of-way line of Zamanek Road to the point of intersection with the northwestern right-of-way line of FM 1994; then north and easterly along the northwest right-of-way line of FM 1994 to the point of intersection with the northeast right-of-way line of Davis Estate Road extended across FM 1994; thence easterly along the north right-of-way line of Davis Estate Road to the point of intersection with the west right-of-way line of Tadpole Road/County Road 762; thence northerly along the west right-of-way line of Tadpole Road/County Road 762 to the point of intersection with the north right-of-way line of Sawmill Road extended across Tadpole Road/County Road 762, thence easterly along the north right-of-way line of Sawmill Road to the point of intersection with the north property line of that certain 2188.48 acre tract owned by the State of Texas in the Barrett & Harris Survey and known as Brazos Bend State Park, thence easterly along the north boundary line of Brazos Bend State Park to the Fort Bend-Brazoria County Line, thence southerly and westerly along the Fort Bend-Brazoria County Line to the point of intersection of the Fort-Bend Brazoria County Line with the Fort Bend-Wharton County Line; thence north and westerly along the Fort Bend-Wharton County Line to the point of beginning.

**Exhibit B**  
**Map of Proposed**  
**Fort Bend County Emergency Services District No. 9**

