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File No. 8900

November 19, 2019

Mr. David L. Fuentes
Hidalgo County Commissioner - Precinct 1
1902 Joe Stephens, Ste. 101
Weslaco, TX 78596

Re: Hidalgo County Emergency Services District No.1 (the District)

Notice of Vacancies and Recommendation to Fill Vacancies on Board of Commissioners

Dear Commissioner Fuentes:

I have the pleasure to serve as the attorney for the District. In such capacity, I have been requested by the Board of Commissioners to advise you that two (2) vacancies now exist on the Board of Commissioners for the District due to the recent death of Robert Rektorik and current health issues for Larry Dittburner resulting in his resignation from the Board.

Pursuant to the provisions of Section 775.034 of the Texas Health and Safety Code, since all property within the District is located in Hidalgo County, the appointment of commissioners for the District is the duty and responsibility of the Hidalgo County Commissioners Court. Commissioners for the District are appointed for a two (2) year term and serve until a successor has been appointed and qualified. Pursuant to Section 775.034(e) of the Texas Health and Safety Code, the Hidalgo County Commissioners Court also has the duty of filing the vacancies resulting from the death of Commissioner Rektorik and the resignation of Commissioner Dittburner.

While it is the duty of the entire Hidalgo County Commissioners Court to appoint commissioners for the District, it is the District's understanding that, as a matter of courtesy, the Hidalgo County Commissioners Court has deferred to the County Commissioner whose Precinct covers the District in making such appointments. In this case, since the District lies wholly within the boundaries of Precinct 1, this duty and responsibility is now yours.

Even though the Board of Commissioners of the District realize that the choice of who to appoint as the new commissioner is up to you and the other members of the Hidalgo County Commissioners Court, the District's Board of Commissioners have adopted a resolution recommending Ms. Jennifer Rektorik, 1330 E. Mile 11 N, Weslaco, Hidalgo County, Texas, and Mr. Ramon "Monse" Montalvo III, 6156 N. Texas, Weslaco, Hidalgo County, Texas, as persons qualified, willing and able to serve as commissioner pursuant to the requirements of Section 775.034(a) of the Texas Health and Safety Code. Jennifer Rektorik is the daughter of the deceased Commissioner Robert Rektorik, and can be reached by telephone at 956-975-9933 if you wish to discuss this matter with her. Ramon "Monse" Montalvo can be reached by telephone at 956-968-5521 if you wish to discuss this matter with him.

As such, the Board of Commissioners for the District hereby requests that you consider their recommendation and, if you are in agreement therewith, that you place an "Action Item" on the agenda of

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the Hidalgo County Commissioners Court to obtain a proper motion and resolution appointing Jennifer V. Rektorik and Ramon “Monse” Montalvo III, as new commissioners for the District to fill the vacancies created by the death of Robert Rektorik and health of Larry Dittburner. Resumes on both Ms. Rektorik and Mr. Montalvo are enclosed for your reference.

In way of background information, the three (3) current commissioners serving the District and their offices are: Gerardo V. Latigo - Vice President, James Anthony Vos - Secretary/Treasurer and Mark McCaleb – Commissioner.

In any event, it will be appreciated if you would keep my office advised of when such appointments will be considered by the Hidalgo County Commissioners Court, the result of such consideration and the names and addresses of the persons appointed to fill such vacancies if not Jennifer Rektorik and Ramon “Monse” Montalvo III. Once the Hidalgo County Commissioners Court makes such appointments, the new commissioners will be required to sign and file the necessary *Statement of Appointed Officer* and take the required oath before participating as a commissioner for the District.

Likewise, if you or the County Attorney have any questions regarding this request or the operations of the District, please do not hesitate to contact me.

Very truly yours,



RICHARD S. TALBERT

RST/ljc

pc: Hidalgo County Emergency Services District No.1
P. O. Box 1010
Weslaco, TX 78599-1010

Ms. Jennifer V. Rektorik
1330 E Mile 11 N
Weslaco, TX 78599

Mr. Ramon “Monse” Montalvo III
P.O. Box 2
Weslaco, TX 78596-0002