

- SUBJECT:** Creating the Cameron County Flood Control District
- COMMITTEE:** Natural Resources — committee substitute recommended
- VOTE:** 9 ayes — Larson, Metcalf, Dominguez, Farrar, Harris, Lang, Nevárez, Price, Ramos
- 0 nays
- 2 absent — T. King, Oliverson
- WITNESSES:** For — Sofia C Benavides, David Garza, Paolina Vega, Cameron County; (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court; Dan Shelley, Brazoria County Judge Matt Sebesta; David Garcia, Cameron County; Adam Haynes, Conference of Urban Counties; Jim Short, Fort Bend County; Donna Warndof, Harris County Flood Control District; Rick Thompson, Texas Association of Counties; Scot Campbell; David Fuentes)
- Against — Sonia Lambert, Cameron County Drainage District #3; Wayne Halbert, Cameron County Drainage District #3 and Harlingen Irrigation District Cameron County #1; Alan Moore, Cameron County Drainage District #5
- On — Brian Macmanus
- BACKGROUND:** Concerned parties have noted that Cameron County currently lacks integrated flood mitigation infrastructure and there are gaps within the county between the jurisdictions of local drainage districts. As Cameron County is also in a low-lying coastal area prone to flooding, it has been suggested that the county would benefit from the creation of a flood control district.
- DIGEST:** CSHB 4726 would create the Cameron County Flood Control District and specify its powers and duties.

The district would have the rights, powers, privileges, and functions of a levee improvement district, and its boundaries would be coextensive with Cameron County, excluding any territory already under the jurisdiction of a drainage or irrigation district. The district would have to obtain approval of the relevant authority before annexing land inside the corporate limits of a municipality or inside the boundaries of a drainage or irrigation district.

The district's board of directors would consist of the five county commissioners of Cameron County, and the directors' terms would correspond to the terms of the county commissioners.

The district could impose a maintenance tax authorized by an election held in the district and would be authorized to issue bonds and incur other indebtedness. Bond anticipation notes could be issued for any purpose for which district bonds had been voted or to refund outstanding bond anticipation notes plus interest.

The bill would allow the created district to enter into contracts for the maintenance or construction of any authorized facility or improvement without voting for the issuance of bonds or holding an election to approve the contract.

If the bill passed with a two-thirds majority of all members elected to each house, the district could exercise the power of eminent domain in Cameron County. Any act of eminent domain within a municipality's borders would have to be approved by a resolution of the municipality's governing body. If the bill did not pass with the necessary majority, the district would be prohibited from exercising the power of eminent domain.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.