

## ORDER

### AN ORDER OF THE HIDALGO COUNTY COMMISSIONERS COURT FOR THE SUPPORT OF RECAPTURING LOCAL FUNDING USED FOR THE CONSTRUCTION AND REHABILITATION OF FLOOD CONTROL PROJECTS THROUGH LEGISLATION AND/OR AN ADMINISTRATIVE FIX AT THE ADMINISTRATIVE LEVEL.

**WHEREAS**, the United States International Boundary & Water Commission (USIBWC) is authorized to construct, operate, and maintain any project or works projected by the United States of America within the Lower Rio Grande Flood Control Project (hereinafter referred to as "LRGFCP"), as authorized by the Act of the 74<sup>th</sup> Congress, Sess. I Ch. 561 [HR 6453] approved August 19, 1935 (49 Stat. 660), and codified at 22 U.S.C. Section 277, 277a, 277b, 277c, and Acts amendatory thereof and supplementary thereto; and

**WHEREAS**, In 2006 the International Boundary and Water Commission declared levees in Hidalgo County, Texas uncertifiable to the Federal Emergency Management Agency with respect to new digital Flood Insurance Rate Maps and their respective designation of Hidalgo County as a special Flood Hazard Zone; and

**WHEREAS**, without the addressed necessary improvements, the levee system had the possibility of overtopping and/or failing structurally at various locations, leaving thousands homeless and creating extensive property and environmental damage to the Rio Grande Valley; and primarily in the industrial portion of southern Hidalgo County;

**WHEREAS**, as a result citizens and businesses situated in Hidalgo County, Texas would have been paying flood insurance rates of about \$150 million per year;

**WHEREAS**, Hidalgo County voters approved approximately \$100 million in bonds to fund the rehabilitation of local flood control infrastructure, utilizing an estimated \$60 million specifically for the advance design and construction of levees within Hidalgo County and along the United States/Mexico border; and

**WHEREAS**, Over an estimated 60 miles of levees with deficient elevations, requiring extensive rehabilitation and construction of the system to adequately protect Hidalgo County and its citizens from excessive flood waters caused by hurricanes, storms, or other acts of nature were rehabilitated in Hidalgo County; and

**WHEREAS**, Hidalgo County Drainage District No. 1 seeks to introduce legislative language during the upcoming 2012 Legislative year; and is seeking a legislative fix with regards to reimbursement language at the administrative level for the International Boundary and Water Commission to mitigate what should have been a federal cost and remove the burden from the Hidalgo County, Texas taxpayers;

**Now, Therefore, BE IT ORDERED the Hidalgo County Commissioners Court** publicly expresses support for the efforts of the Hidalgo County Drainage District No. 1 to recapture funds at the federal/state level through the introduction of legislation and with respect to recapturing language through a legislative and/or administrative fix to allow Hidalgo County Drainage District No. 1 to recapture funds invested and any future funds that might be invested in USIBWC levees and flood control projects in Hidalgo County, Texas.

PASSED, APPROVED AND ORDERED this \_\_\_ day of \_\_\_\_\_, 2011

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Honorable Ramon Garcia  
Hidalgo County Judge

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Honorable Joel Quintanilla  
Hidalgo County Commissioner, Pct. No. 1

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Honorable Joe Flores  
Hidalgo County Commissioner, Pct. No. 3

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Honorable Hector "Tito" Palacios  
Hidalgo County Commissioner, Pct. No. 2

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Honorable Joseph Palacios  
Hidalgo County Commissioner, Pct. No. 4

ATTEST:

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Arturo Guajardo, Jr.  
Hidalgo County Clerk