



PROJECT FUNDING REQUEST

BOARD DATE: December 16, 2025

Team Manager: Kathy Hopkins

ACTION REQUESTED

Consider approving an application from Cameron County Drainage District No. 5 (CCDD5) and authorizing the Executive Administrator to negotiate and execute contracts for grant funding in an amount not to exceed \$361,720 from the Flood Infrastructure Fund for Flood Mitigation Strategy (FMS) projects.

STAFF RECOMMENDATION

Approve **No Action**

PROJECT NAME

Cameron County Drainage District No. 5, Levee Certification, Project Identifier 40212

BACKGROUND

The purpose of the Flood Infrastructure Fund (FIF) is to assist in the financing of drainage, flood mitigation, and flood control projects recommended in the state flood plan, including planning and design activities, work to obtain necessary regulatory approvals, and construction and/or implementation of flood projects. FIF projects presented for consideration have been scored and ranked using prioritization criteria outlined in 31 Texas Administrative Code § 363.404 and further specified in the 2024-2025 Flood Intended Use Plan (FIUP). The FMS prioritized list of projects was approved by the Board on September 12, 2024.

PROJECT NEED AND DESCRIPTION

The majority of Cameron County is protected from catastrophic flooding from the Rio Grande through a series of floodways and six levees that are managed by the International Boundary and Water Commission (IBWC), but the responsibility for levee certification is left to the local jurisdiction. The Federal Emergency Management Agency (FEMA) is in the process of updating the Flood Insurance Rate Maps (FIRMs) in Cameron County. To accurately reflect protection by the levees on the updated FIRMs, these six levees must be certified by FEMA that the levees meet National Flood Insurance Program (NFIP) minimum design, operation, and maintenance requirements as described in 44 C.F.R. § 65.10. If the levees are not certified, then any updated FIRMs in the County will not include the levees and large portions of the County will be shown as flood hazard areas. Accurately reflecting the mitigation and protection provided by levees in the updated FIRMs is essential to managing development in the floodplain, informing lending institutions if flood insurance is required, and educating the public of their flood risk.

CCDD5 is taking the lead to complete the internal drainage analysis for the final certification of the IBWC levees. There are several FIF studies from the 2020-2021 funding cycle underway that relate to the proposed study. The ongoing studies are in partnership with Cameron County Drainage District No. 3, the City of Harlingen, and the City of Brownsville. These existing studies provided modeling for 90 percent of the County. This project purpose is to complete the remaining 10 percent of the modeling for Cameron County, along with updating the existing models to ensure consistency across the County needed to complete the levee certification process.

KEY ISSUES

This project is an FMS in the adopted 2024 State Flood Plan. The FMS category is designed for projects that can be implemented quickly and are understood to immediately be effective in protecting life and property. FMS projects are eligible to receive a maximum of 70 percent grant funds based on criteria outlined in the FIUP. Recipients of financial assistance may either use their own available funds or borrow FIF funds (at zero percent interest) for any portion of the remaining project cost.

CCDD5's's project is eligible to receive a 50 percent grant. The remaining project cost will be provided through local contribution. Table 1 provides a summary of funding sources, and application summaries are attached.

PROPOSED PROJECT FUNDING

| | |
|---------------------------------|------------------|
| TOTAL PROJECT COST | \$723,440 |
| Grant amount requested from FIF | \$361,720 |
| Loan amount requested from FIF | \$0 |
| Local contribution | \$361,720 |
| Local in-kind | \$0 |
| Federal funding | \$0 |

PROJECT SCHEDULE

| Task | Schedule Date |
|--|----------------------|
| FIF Closing/Contract Execution | 4/16/2026 |
| Project Coordination | 4/16/2026 |
| Review Complete FIF Existing Conditions Models | 5/16/2026 |
| Internal Drainage Analysis | 4/11/2027 |
| Engineering Report | 7/10/2027 |
| IBWC Coordination | 1/11/2027 |
| Levee Certification Application Package Completed | 10/08/2027 |
| Coordination w/FEMA on Certification Comments (2nd round) | 10/08/2027 |
| Public Meeting | 10/08/2027 |
| Project Closeout | 3/25/2028 |

LEGAL/SPECIAL CONDITIONS

Prior to closing, the district shall execute a Grant Agreement in a form and substance acceptable to the Executive Administrator.

Attachments:

1. Project Data Summary
2. Resolution (25-)
3. Location Map

Cameron County Drainage District No. 5 – Project Data Summary



Project Data Summary

| | | | | |
|--|---------------------------|-----------------------------|-------------------------------|-----------------|
| Responsible Authority | Cameron Co DD # 5 | | | |
| Program | FIF | | | |
| Commitment Number | G1002263 | | | |
| Project Number | 40212 | | | |
| List Year | 2024 | | | |
| Type of Pledge | N/A | | | |
| Pledge Level (if applicable) | N/A | | | |
| Legal Description | \$361,720 Grant Agreement | | | |
| Tax-exempt or Taxable | Tax-Exempt | | | |
| Refinance | No | | | |
| Outlay Requirement | Yes | | | |
| Disbursement Method | Escrow | | | |
| Outlay Type | Outlay = Escrow Release | | | |
| Qualifies as Disadvantaged | No | | | |
| Financial Managerial & Technical Complete | N/A | | | |
| Phases Funded | Planning | | | |
| Pre-Design | No | | | |
| Project Consistent with State Water Plan | N/A | | | |
| Water Conservation Plan | | | | |
| Overall Risk Score | N/A | | | |
| PROJECT TEAM | | | | |
| Team Manager | Financial Analyst | Engineering Reviewer | Environmental Reviewer | Attorney |
| Kathy Hopkins | Kyle DuQuesnay | Ronnie Hollier | Chris Caran | Michael Perez |

A RESOLUTION OF THE TEXAS WATER DEVELOPMENT BOARD
APPROVING AN APPLICATION FOR FINANCIAL ASSISTANCE IN THE AMOUNT OF
\$361,720 TO THE CAMERON COUNTY DRAINAGE DISTRICT NO. 5
FROM THE FLOOD INFRASTRUCTURE FUND
THROUGH
THE EXECUTION OF A GRANT AGREEMENT IN THE AMOUNT OF \$361,720

(25 -)

Recitals:

The Cameron County Drainage District No. 5 (District), located in Cameron County, Texas, has filed an application for financial assistance from the Flood Infrastructure Fund (FIF) in accordance with Texas Water Code Chapter 15, Subchapter I, for the planning of a levee certification flood project, identified as Project No. 40212.

The District seeks financial assistance from the Texas Water Development Board (TWDB) in the amount of \$361,720 through execution of a Grant Agreement, all as is more specifically set forth in the application and in recommendations of the Executive Administrator's staff.

Findings:

1. The application and financial assistance requested meet the requirements of Texas Water Code, Chapter 15, Subchapter I; 31 TAC Chapter 363, Subchapters A and D; and the State Fiscal Year 2024 Flood Intended Use Plan (FIUP).
2. The District has demonstrated a sufficient level of cooperation among eligible political subdivisions and has included all of the eligible political subdivisions substantially affected by the flood project in accordance with Texas Water Code § 15.536(2).
3. No debt obligations are to be assumed by the District for the financial assistance and no taxes or revenues are required to be pledged by the District in accordance with Texas Water Code § 15.536(3).
4. The District is eligible to receive grant funding in accordance with Texas Water Code § 15.534 and the FIUP.
5. The request for financial assistance does not include redundant funding for activities already performed and/or funded through another source, in accordance with the IUP.

6. The District has demonstrated that the application meets the requirements of the FIUP related to the National Flood Insurance Program in the area to be served by the Project.
7. The Project was developed using the best and most recent available data, in accordance with the FIUP.

NOW THEREFORE, based on these findings, the TWDB resolves as follows:

8. A commitment is made by the TWDB to Cameron County Drainage District No. 5 for financial assistance in the amount of \$361,720 from the Flood Infrastructure Fund, to be evidenced by the TWDB's execution of a Grant Agreement in the amount of \$361,720. This commitment will expire on March 31, 2025; however, the Executive Administrator may, at his discretion, grant up to one extension for a maximum of three months.

The commitment is conditioned as follows:

Standard Conditions:

1. This commitment is contingent on availability of TWDB funds on hand.
2. This commitment is contingent upon the District's continued compliance with all applicable laws, rules, policies, and guidance, as these may be amended from time to time to adapt to a change in law, in circumstances, or any other legal requirement, including but not limited to 31 TAC Chapter 363.
3. The Grant Agreement must provide that the District will comply with all applicable TWDB laws and rules related to the use of the financial assistance.
4. The Grant Agreement must contain a provision requiring the District to maintain insurance coverage sufficient to protect the TWDB's interest in the project.
5. The Grant Agreement must include a provision requiring a final accounting to be made of the total sources and authorized use of Project funds within 60 days of the completion of the Project.
6. The Grant Agreement must include a provision stating that the District must either return or deposit into the Interest and Sinking Fund any grant funds determined to be surplus funds remaining after completion of the Project and completion of a final accounting, including any interest earned on the grant funds.
7. The Grant Agreement must contain a provision that the TWDB may exercise all remedies available to it in law or equity, and any provision of the Grant Agreement

that restricts or limits the TWDB's full exercise of these remedies shall be of no force and effect.

8. Financial assistance proceeds are public funds and, as such, the Grant Agreement must include a provision requiring that these proceeds must be held at a designated state depository institution or other properly chartered and authorized institution in accordance with the Public Funds Investment Act, Government Code, Chapter 2256 and the Public Funds Collateral Act, Government Code, Chapter 2257.
9. Financial assistance proceeds must not be used by the District when sampling, testing, removing or disposing of contaminated soils and/or media at the Project site. The Grant Agreement must include an environmental indemnification provision wherein the District agrees to indemnify, hold harmless and protect the TWDB from any and all claims, causes of action or damages to the person or property of third parties arising from the sampling, analysis, transport, storage, treatment, recycling, and disposition of any contaminated sewage sludge, contaminated sediments, and/or contaminated media that may be generated by the District, its contractors, consultants, agents, officials, and employees as a result of activities relating to the Project to the extent permitted by law.
10. Before release of funds for the relevant services, and if required under the TWDB's financial assistance program and if not previously provided with the application, the District must submit executed contracts for engineering and, if applicable, financial advisor and bond counsel, for the Project that are satisfactory to the Executive Administrator. Fees to be reimbursed under the contracts must be reasonable in relation to the services performed, reflected in the contract, and acceptable to the Executive Administrator.
11. The Grant Agreement must contain a provision requiring the District to submit quarterly status reports on the progress of the project that details information requested by the Executive Administrator. The Executive Administrator may withhold authorization to release funds from escrow or adjust the amount of funds to be released from escrow based on the receipt of the quarterly status reports and the projected quarterly needs for the project.
12. Before closing, when any portion of financial assistance is to be held in escrow or in trust, the District must execute an escrow agreement or trust agreement, approved as to form and substance by the Executive Administrator, and must submit that executed agreement to the TWDB.

Special Conditions:

- 13. Before closing, the District must execute a Grant Agreement in a form and substance acceptable to the Executive Administrator.
- 14. The District must notify the Executive Administrator in writing 30 days before taking any actions to alter its legal status in any manner.
- 15. The Grant Agreement must include a provision requiring that before any action by the District to convey its obligations held by the TWDB to another entity, the conveyance and the assumption of the obligations must be approved by the TWDB.

APPROVED and ordered of record this, the 16th day of December, 2025.

TEXAS WATER DEVELOPMENT BOARD

L'Oreal Stepney, P.E., Chairwoman

DATE SIGNED: _____

ATTEST:

Bryan McMath, Executive Administrator

Cameron County Drainage District No. 5 – Location Map



**Cameron County Drainage District #5
Cameron County**

