

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

Page 1 of 1

ALL Districts

Transportation Code, §222.053(a), defines an “economically disadvantaged county” as a county that has, in comparison to other counties in the state: (1) below average per capita taxable property value; (2) below average per capita income; and (3) above average unemployment.

Transportation Code, §222.053(a-1), provides that, notwithstanding Transportation Code §222.053(a), a county is considered to be an “economically disadvantaged county” if it meets the criteria as laid out in subsection (a) within the past six years and has been included in no less than five federally declared disasters within the same time period. Transportation Code, §222.053(a-2), provides that, for a county described by subsection (a-1), the adjustment to the local matching funds requirement shall be equivalent to the highest adjustment rate set in the last year the county was considered to meet the criteria.

Transportation Code, §222.053(c), directs the Texas Transportation Commission (commission), when evaluating a proposal for a highway project in a political subdivision that consists of all or a portion of an economically disadvantaged county, to adjust the minimum local matching funds requirement after evaluating the political subdivision's effort and ability to meet the requirement.

Transportation Code, §222.053(f), requires the commission to certify a county as economically disadvantaged on an annual basis as soon as possible after the Comptroller of Public Accounts (comptroller) provides reports on the economic indicators listed above.

Title 43 TAC §15.55(b)(2) provides that, for a county described by Transportation Code, §222.053(a), in determining the adjustment to the local matching funds requirement, and the local government’s efforts and ability to meet the requirement, the commission will consider a local government’s: (A) population level; (B) bonded indebtedness; (C) tax base; (D) tax rate; (E) extent of in-kind resources available; and (F) economic development sales tax. Title 43 TAC §15.55(b)(3) provides that, for a county described by Transportation Code, §222.053(a-1), the adjustment will be equivalent to the highest adjustment rate set in the last year the county was considered to meet the criteria set out in Transportation Code, §222.053(a).

The comptroller has provided the data needed to determine the counties eligible for the Economically Disadvantaged Counties Program for FY 2021. The commission has considered the counties’ efforts and ability to provide a local match using the criteria set forth in 43 TAC §15.55(b)(2). In addition, the Texas Department of Transportation has reviewed disaster declarations issued by the Federal Emergency Management Agency through the month of August 2020 in order to comply with the requirements of Transportation Code, §222.053(a-1). Exhibit A lists the eligible counties and the respective recommended local match adjustments. Exhibit B establishes additional local match adjustments for cities within these counties participating in the program.

IT IS THEREFORE ORDERED by the commission that the list of counties eligible for the FY 2021 Economically Disadvantaged Counties Program is certified and the local match adjustment for each county is established, as shown in Exhibit A, as well as additional adjustments for cities participating in the program, as shown in Exhibit B.

Submitted and reviewed by:

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Director, Transportation Planning and Programming Division

Recommended by:

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Executive Director

115883 Oct. 29 2020

Minute Number Date Passed

EXHIBIT A

Economically Disadvantaged Counties FY 2021

Eligible Counties	Adjustment %
Angelina County	25
Bailey County	60
*Bastrop County	95
Bee County	59
Bell County	25
*Bosque County	95
Bowie County	25
Brooks County	73
*Brown County	95
*Caldwell County	95
Calhoun County	32
Cameron County	45
Camp County	27
Cass County	41
Cherokee County	41
Cochran County	71
Coleman County	59
Coryell County	38
Crosby County	47
Dawson County	58
Dickens County	66
Duval County	81
El Paso County	37
Falls County	69
Floyd County	47
Franklin County	32
Freestone County	20
Gray County	34
Grimes County	36
Hale County	47
Hall County	59
*Hardin County	95
Harrison County	15
Hidalgo County	60
*Houston County	95
Hudspeth County	55
Hutchinson County	31
Jasper County	38
Jim Hogg County	95
Jim Wells County	51
Jones County	58
*Wharton County	95
Wilbarger County	26
Willacy County	61

Eligible Counties	Adjustment %
Kleberg County	53
Lamb County	51
Leon County	24
Liberty County	39
Limestone County	54
Madison County	46
Marion County	34
Matagorda County	23
Maverick County	48
Milam County	53
Mitchell County	50
Morris County	22
Nacogdoches County	38
*Navarro County	95
Newton County	52
*Nueces County	95
*Orange County	95
Panola County	28
Polk County	44
Presidio County	34
Real County	40
Red River County	49
Refugio County	46
Robertson County	26
Rusk County	39
Sabine County	29
San Augustine County	24
San Jacinto County	49
Shelby County	52
*Smith County	95
Starr County	67
Swisher County	52
Terry County	53
Titus County	38
Trinity County	49
Tyler County	73
Upshur County	39
Uvalde County	50
Val Verde County	37
Walker County	51
Waller County	46
Wood County	36
Zapata County	62
Zavala County	63

*Met the standard criteria within the last six years and has been included in no less than five federally declared disasters within the same time period.

EXHIBIT B

Additional Adjustments for Cities Within an Economically Disadvantaged County FY 2021

Every eligible county receives an adjustment to its local match requirement ranging from 15 (minimum) to 95 (maximum) percent. A city within an economically disadvantaged county receives an adjustment equal to the adjustment for the county in which it is located, with the possibility of up to 10 additional percentage points based on its population and the existence of an economic development sales tax.

The two following tables depict the additional percentage points that cities may be granted.

Economic Development Sales Tax:

ADDITIONAL PERCENTAGE

YES	5%
NO	0%

Population:

ADDITIONAL PERCENTAGE

$x < 1,000$	5%
$1,000 < x < 2,000$	4%
$2,000 < x < 3,000$	3%
$3,000 < x < 4,000$	2%
$4,000 < x < 5,000$	1%
$x > 5,000$	0%