

TEXAS TRANSPORTATION COMMISSION

ALL Counties

MINUTE ORDER

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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 2024. 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 department has reviewed disaster declarations issued by the Federal Emergency Management Agency through the month of August 2023 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.

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IT IS THEREFORE ORDERED by the commission that the list of counties eligible for the FY 2024 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:

Recommended by:

DocuSigned by:

Humberto Gonzalez Jr, P.E.

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Director, Transportation Planning and
Programming Division

DocuSigned by:

W. D. Williams

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Executive Director

116567 September 28, 2023

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| Minute | Date |
| Number | Passed |

EXHIBIT A
Economically Disadvantaged Counties
FY 2024

| Eligible Counties | Adjustment % | | Eligible Counties | Adjustment % |
|--------------------------|---------------------|--|---------------------------|---------------------|
| Andrews County | 36 | | Gray County | 54 |
| Angelina County | 51 | | Gregg County | 31 |
| Aransas County* | 95 | | Grimes County | 95 |
| Atascosa County | 95 | | Hale County | 60 |
| Bastrop County* | 95 | | Hardeman County* | 95 |
| Bee County | 78 | | Hardin County | 48 |
| Bell County | 46 | | Harris County* | 95 |
| Bexar County* | 95 | | Harrison County | 45 |
| Bosque County* | 95 | | Haskell County* | 95 |
| Bowie County | 44 | | Henderson County* | 95 |
| Brazoria County* | 95 | | Hidalgo County | 77 |
| Brooks County | 74 | | Hockley County | 43 |
| Brown County* | 95 | | Houston County* | 95 |
| Calhoun County* | 95 | | Howard County | 37 |
| Cameron County | 67 | | Hudspeth County | 55 |
| Camp County | 51 | | Hutchinson County | 95 |
| Cass County | 53 | | Jasper County | 49 |
| Chambers County* | 95 | | Jefferson County | 42 |
| Cherokee County | 56 | | Jim Hogg County | 85 |
| Coleman County | 56 | | Jim Wells County | 58 |
| Coryell County | 61 | | Jones County | 69 |
| Crane County | 46 | | Kinney County | 37 |
| Crosby County | 44 | | Kleberg County | 67 |
| Dallas County* | 95 | | Leon County | 29 |
| Dawson County | 71 | | Liberty County | 60 |
| Duval County | 61 | | Limestone County | 55 |
| Ector County | 38 | | Live Oak County | 31 |
| El Paso County | 60 | | Madison County | 55 |
| Falls County* | 95 | | Marion County* | 95 |
| Floyd County | 43 | | Matagorda County | 15 |
| Fort Bend County* | 95 | | Maverick County | 68 |
| Franklin County* | 95 | | McCulloch County | 55 |
| Freestone County | 43 | | Milam County | 60 |
| Galveston County* | 95 | | Mitchell County | 64 |
| Goliad County* | 95 | | Montgomery County* | 95 |

| Eligible Counties | Adjustment % | | Eligible Counties | Adjustment % |
|--------------------------|---------------------|--|--------------------------|---------------------|
| Morris County | 50 | | Starr County | 78 |
| Nacogdoches County* | 95 | | Sutton County* | 95 |
| Newton County | 55 | | Tarrant County* | 95 |
| Nueces County | 36 | | Terry County | 64 |
| Orange County | 49 | | Titus County* | 95 |
| Palo Pinto County | 33 | | Trinity County | 50 |
| Panola County | 37 | | Tyler County | 69 |
| Pecos County | 53 | | Upshur County | 59 |
| Polk County | 57 | | Uvalde County* | 95 |
| Real County | 25 | | Val Verde County | 15 |
| Red River County | 46 | | Victoria County* | 95 |
| Refugio County | 45 | | Walker County | 69 |
| Robertson County* | 95 | | Waller County | 50 |
| Rusk County | 59 | | Ward County | 34 |
| Sabine County | 44 | | Webb County | 59 |
| San Augustine County | 36 | | Wharton County | 95 |
| San Jacinto County | 95 | | Wheeler County | 41 |
| San Patricio County | 43 | | Willacy County | 70 |
| Schleicher County* | 95 | | Wood County | 48 |
| Scurry County | 50 | | Yoakum County | 46 |
| Shelby County* | 95 | | Zapata County | 87 |
| Smith County* | 95 | | Zavala County | 59 |
| Somervell County* | 95 | | | |

*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 2024

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% |