

ORDINANCE NO. 2021-89

AN ORDINANCE DESIGNATING THE AREA WITHIN THE CITY'S CORPORATE CITY LIMITS AS A QUALIFIED MEDIA PRODUCTION DEVELOPMENT ZONE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

- 1.** Chapter 485A of the Texas Government Code ("Act") allows for the creation of a media production development zone ("Zone").
- 2.** The Act offers exemptions to the limited sales, excise, and use taxes to qualified persons who build, construct, renovate, improve, or expand a media production facility within the state.
- 3.** The Act was enacted to maintain and strengthen the media production industry in Texas in the face of strong competition from other states. Soundstages and other production facilities would be key assets in this effort.
- 4.** The Council wishes to take advantage of the provisions of the Act in order to incentivize additional economic development within the City by designating areas within the corporate limits of the City as a Zone.
- 5.** This area proposed for establishment of a Zone meets all the criteria for recognition as a media production development zone, as the area:
 - a.** is within a metropolitan statistical area, the principal municipality of which has a population of more than 250,000 and has the adequate workforce, infrastructure, facilities, or resources to support the production and completion of moving image projects; and
 - b.** subject to approval from the Music, Film, Television and Multimedia Office within the office of the Governor, will contain a qualified media production location within its geographical boundaries that meets the criteria under section 485A.102 of the Act.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Recitals are true and correct and, hereby, approved as the findings of the City Council.

SECTION 2. The City's corporate limits are, hereby, designated as a media production development zone.

SECTION 3. The City Manager, or the City Manager's designee, is authorized to submit the required application and supporting documents to the Texas Film Commission as necessary to effectuate the purposes of the designated media production development zone in Section 2.

SECTION 4. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 5. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 6. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on November 3, 2021.

PASSED, APPROVED AND ADOPTED on second reading on November 16, 2021.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael J. Cosentino
City Attorney