

## **RESOLUTION NO. 2025-127R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS NOMINATING MIDWAY DEVELOPMENT GROUP, LLC TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM, THROUGH THE ECONOMIC DEVELOPMENT BANK AS AN ENTERPRISE PROJECT PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT; AND DECLARING AN EFFECTIVE DATE.**

### **RECITALS:**

**WHEREAS**, the City of San Marcos ("City") has previously passed Ordinance No. 2011-42 electing to participate in the Texas Enterprise Zone Program, and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 2011-42; and

**WHEREAS**, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider Midway Development Group, LLC ("Midway") as an enterprise project pursuant to a nomination and an application made by the City; and

**WHEREAS**, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

**WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code (the "Act"), Midway has applied to the City for designation as an enterprise project; and

**WHEREAS**, the City finds that Midway meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- 1.** Midway is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals or honorably discharged veterans; and

- 2.** There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and

- 3.** The designation of Midway as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**WHEREAS**, the City finds that Midway meets the criteria for tax relief and other incentives adopted by the City and nominates Midway, for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

**WHEREAS**, the City finds that it is in the best interest of the City to nominate Midway as an enterprise project pursuant to the Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**PART 1.** That the findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted.

**PART 2.** That Midway Company is a “qualified business,” as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, inclusive of said expansion, as set forth in Section 2303, Subchapter F of the Act.

**PART 3.** That the enterprise project shall take effect on the date of designation of the enterprise project by the agency and terminate five years from the date of the designation.

**ADOPTED** on August 5, 2025.

Jane Hughson  
Mayor

Attest:

Elizabeth Trevino  
City Clerk

**THE STATE OF TEXAS    )**  
**)**  
**COUNTY OF HAYS         )**

I, Elizabeth Trevino, City Clerk of the City of San Marcos, Texas do hereby certify that the above and foregoing is a true and correct copy of Resolution Number \_\_\_\_\_ passed by the City of San Marcos City Council on August 5, 2025.

\_\_\_\_\_  
Elizabeth Trevino  
City Clerk

(City Seal)

**THE STATE OF TEXAS    )**  
**)**  
**COUNTY OF HAYS         )**

BEFORE ME, the undersigned authority, on this day personally appeared Elizabeth Trevino, City Clerk of the City of San Marcos, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this \_\_\_\_ day of August 2025.

\_\_\_\_\_  
Notary Public, State of Texas