

THE STATE OF TEXAS

§

COUNTY OF WALLER

§

ORDINANCE NO. ###

AN ORDER OF WALLER COUNTY, TEXAS, ORDAINING THE COUNTY'S PARTICIPATION IN THE TEXAS ENTERPRISE ZONE PROGRAM PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE, PROVIDING TAX INCENTIVES, DESIGNATING A LIAISON FOR COMMUNICATION WITH INTERESTED PARTIES, AND NOMINATING TESLA, INC TO THE OFFICE OF THE GOVERNOR ECONOMIC DEVELOPMENT & TOURISM THROUGH THE ECONOMIC DEVELOPMENT BANK AS A TRIPLE JUMBO ENTERPRISE PROJECT

WHEREAS, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider Tesla, Inc., a qualified business located at 111 Empire West Blvd, Brookshire, Texas 77423 ("Tesla") as a triple jumbo enterprise project pursuant to Chapter 2303, Subchapter F of the Texas Government Code (the "Act"), after a nomination and application made by Waller County, Texas ("County");

WHEREAS, the County desires to create the proper economic and social environment to induce the investment of private resources in productive business enterprises located in severely distressed areas of the county and to provide employment to residents of such area; and

WHEREAS, pursuant to the Act, Tesla has applied to the County for designation as a triple jumbo enterprise project; and

WHEREAS, the proposed project is located within the jurisdiction of the City of Brookshire, Texas ("City") located in the County, and the County and City entered into an interlocal agreement pursuant to § 2303.004(c) of the Act, whereby both the County and City approved the nomination of Tesla as an enterprise project, and agreed that the County would have administration authority over the project under § 2303.201 of the Act;

WHEREAS, the project or activity is not located in an area designated as an enterprise zone; and

WHEREAS, the County finds that Tesla meets the criteria for tax relief and other incentives adopted by the County 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 County finds that it is in the best interest of the County to nominate Tesla as a triple jumbo enterprise project pursuant to the Act;

WHEREAS, the County finds that it is in full compliance with Chapter 2303, Texas Government Code prior to nomination of an eligible business;

WHEREAS, a public hearing to consider this order was held by the Commissioners Court on June 24, 2026;

NOW, THEREFORE BE IT ORDERED BY THE COMMISSIONERS COURT OF THE COUNTY OF WALLER, TEXAS THAT:

Section 1: The county nominates Tesla, Inc. for triple jumbo enterprise project status.

Section 2: The following local incentives, at the election of the governing body, are or will be made available to the nominated project or activity of the qualified business:

- a) The County may abate taxes on the increase in value of real property improvements and eligible personal property that is located in a designated enterprise zone or reinvestment zone designated under Texas Tax Code, Chapter 312. The level of abatement shall be in accordance with the Waller County Tax Abatement Guidelines and Criteria.
- b) The County may provide regulatory relief to businesses, including:
 - 1) exemptions from unnecessary building code requirements, impact fees, or inspection fees; or
 - 2) streamlined permitting.
- c) The County may provide enhanced services to businesses, including:
 - 1) improved police and fire protection; or
 - 2) institution of community crime prevention programs;
- d) The County may provide improvements in community facilities, including:
 - 1) road repair; or
 - 2) creation or improvement of parks.

Section 3: The enterprise zone areas within the City are reinvestment zones in accordance with the Texas Tax Code, Chapter 312.

Section 4: The Waller County Commissioners Court directs and designates the Executive Director of the Waller County Economic Development Partnership as the County's liaison to communicate and negotiate with the EDT through the Bank and enterprise project(s) and to oversee zone activities and communications with qualified businesses and other entities in an enterprise zone or affected by an enterprise project.

Section 5: The County finds that Tesla, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- a) Tesla, Inc. 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 within the governing body's jurisdiction, located outside of an enterprise zone, and at least thirty-five percent (35%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and

- b) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities in the area; and
- c) The designation of Tesla, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the County for development and revitalization of the area.

Section 6: The enterprise project shall take effect on the date of designation of the enterprise project by EDT and terminate on the day preceding the fifth (5th) anniversary of the date of designation of the enterprise project by EDT.

Section 7: This order shall take effect from and after its passage.

The Motion was made by Commissioner _____ and seconded by Commissioner _____ to hereby approve the Order.

Said Motion being put to a vote, it carried by a vote of _____ "aye" votes to _____ "nay" votes as follows:

	Yes	No	Abstain	Absent
Judge Carbett "Trey" Duhon, III	☐	☐	☐	☐
Comm. John A. Amsler	☐	☐	☐	☐
Comm. Walter Smith	☐	☐	☐	☐
Comm. Kendric D. Jones	☐	☐	☐	☐
Comm. Justin Beckendorff	☐	☐	☐	☐

ORDERED by the Waller County Commissioners Court on this 24th day of June, 2026.

Carbett "Trey" J. Duhon III
County Judge

John A. Amsler, Commissioner, Precinct 1

Walter Smith, Commissioner, Precinct 2

Kendric D. Jones, Commissioner, Precinct 3

Justin Beckendorff, Commissioner, Precinct 4

ATTEST:

Debbie Hollan
County Clerk