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WHEREAS, the City has previously passed Resolution No. 20151119-022

terminating Freescale Semiconductor, Inc. for enterprise project status; and

WHEREAS, the City desires to approve the assignment of the Freescale
conductor, Inc. enterprise project status to NXP USA, Inc.; and

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21 **WHEREAS**, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone
22 Act, Texas Government Code (the "Act"), NXP USA, Inc. has applied to the City for
23 assignment of enterprise project status; and

24 **WHEREAS**, the City finds that NXP USA, Inc. meets the criteria for designation
25 as an enterprise project under Chapter 2303, Subchapter F of the Act on the following
26 grounds:

- 27 1. NXP USA, Inc. is a "qualified business" under Section 2303.402 of the Act
28 since it will be engaged in the active conduct of a trade or business at a qualified
29 business site located in an enterprise zone and at least twenty-five percent
30 (25.0%) of the business' new employees will be residents of an enterprise zone,
31 economically disadvantaged individuals, or veterans; and
32
- 33 2. There has been and will continue to be a high level of cooperation between
34 public, private, and neighborhood entities within the area; and
35
- 36 3. The assignment of enterprise project status to NXP USA, Inc. will contribute
37 significantly to the achievement of the plans of the City for development and
38 revitalization of the area.
39

40 **WHEREAS**, the City finds that NXP USA, Inc. meets the criteria for tax relief and
41 other incentives adopted by the City and approves the assignment of enterprise project
42 status from Freescale Semiconductor, Inc. to NXP USA, Inc. on the grounds that it will be
43 located at the qualified business site, will create a higher level of employment, economic
44 activity and stability; and

45 **WHEREAS**, the City finds that it is in the best interest of the City to assign
46 enterprise project status from Freescale Semiconductor, Inc. to NXP USA, Inc. pursuant to
47 the Act; **NOW, THEREFORE**,

48 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

49 The findings of the City and its actions approving this resolution taken at the council
50 meeting are hereby approved and adopted.

51 **BE IT FURTHER RESOLVED:**

52 NXP USA, Inc. is a "qualified business", as defined in Section 2303.402 of the Act,
53 and meets the criteria for designation as an enterprise project, as set forth in Section 2303,
54 Subchapter F of the Act.

55 **BE IT FURTHER RESOLVED:**

56 The assignment of enterprise project status shall take effect on the date of
57 designation of the enterprise project by the EDC and terminate on December 1, 2020.

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60 **ADOPTED:** _____, 2018 **ATTEST:** _____
61 Jannette S. Goodall
62 City Clerk
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