

**RESOLUTION NO. 20180823-008**

**WHEREAS**, on October 18, 2007, the City of Austin (City) enacted Ordinance No. 20071018-008 electing to participate in the Texas Enterprise Zone Program authorized by the Texas Enterprise Zone Act. The City subsequently enacted Ordinance No. 20101104-046, amending Ordinance No. 20071018-008, on November 4, 2010. The local economic development incentives available in the City are the same on this date as were outlined in Ordinance No. 20071018-008, as amended by Ordinance No. 20101104-046; and

**WHEREAS**, the City has previously passed Resolution No. 20151119-022 nominating Freescale Semiconductor, Inc. for enterprise project status; and

**WHEREAS**, the Office of the Governor Economic Development and Tourism (EDC) through the Economic Development Bank (Bank) approved Freescale Semiconductor, Inc. as an enterprise project pursuant to a nomination and an application made by the City on December 1, 2015; and

**WHEREAS**, the City desires to approve the assignment of the Freescale Semiconductor, Inc. enterprise project status to NXP USA, Inc.; 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, economically disadvantaged individuals, or veterans; and

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

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

1. NXP USA, 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 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 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 assignment of enterprise project status to NXP USA, Inc. will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

**WHEREAS**, the City finds that NXP USA, Inc. meets the criteria for tax relief and other incentives adopted by the City and approves the assignment of enterprise project status from Freescale Semiconductor, Inc. to NXP USA, Inc. 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 assign enterprise project status from Freescale Semiconductor, Inc. to NXP USA, Inc. pursuant to the Act; **NOW, THEREFORE**,

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

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

**BE IT FURTHER RESOLVED:**

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

**BE IT FURTHER RESOLVED:**

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

**ADOPTED:** August 23, 2018

**ATTEST:**

  
Jannette S. Goodall  
City Clerk